

NO. 66

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

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WEDNESDAY, MAY 1, 2019

**Wednesday, May 1, 2019**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:45 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:

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.”

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 rejection, You are the love that accepts us and motivates us to never quit. And in times when we lose our way, You are the forgiveness that redeems us, renews us and makes us whole again.

Lord God, fill this Chamber with Your unconditional love for all those who call upon you. Today we lift up to you in prayer Buster Lawson from Enoree, S.C. who is a personal friend of Senators Martin and Verdin. May he feel the presence of Your peace and Your right hand of help in the days to come. Through the power of Your Holy Spirit we pray, Amen.

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

**RECESS**

At 11:50 A.M., the Senate recessed from business for the purpose of attending the Joint Assembly.

**JOINT ASSEMBLY**

**Elections**

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

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

[SJ]

**WEDNESDAY, MAY 1, 2019**

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

**Election to the Board of Trustees for the  
Wil Lou Gray Opportunity School,  
Three At-Large Seats**

The PRESIDENT announced that nominations were in order to elect a successor to positions on the Board of Trustees for the Wil Lou Gray Opportunity School, three at-large seats.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Deborah S. Blalock, Robert N. Collar and Dan A. Dobson had been screened and found qualified to serve and placed their names in nomination.

Representative Whitmire, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Deborah S. Blalock, Robert N. Collar and Dan A. Dobson were elected to the positions on the Board of Trustees for the Wil Lou Gray Opportunity School, three at-large seats for the term to expire June 30, 2023.

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**Election to an At-Large Position  
on the Board of Trustees for the Citadel**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for the Citadel.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that L. Eugene Pinson had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable L. Eugene Pinson was elected to the position on the Board of Trustees for the Citadel, at-large for the term to expire June 30, 2025.

**Election to the Board of Trustees for  
Coastal Carolina University, 1<sup>st</sup> Congressional District, Seat 1**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 1<sup>st</sup> Congressional District, Seat 1.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that George E. Mullen had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable George E. Mullen was elected to the position on the Board of Trustees for Coastal Carolina University, 1<sup>st</sup> Congressional District, Seat 1 for the term to expire June 30, 2023.

**Election to the Board of Trustees for  
Coastal Carolina University, 3<sup>rd</sup> Congressional District, Seat 3**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 3<sup>rd</sup> Congressional District, Seat 3.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that William S.

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Biggs had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William S. Biggs was elected to the position on the Board of Trustees for Coastal Carolina University, 3<sup>rd</sup> Congressional District, Seat 3 for the term to expire June 30, 2023.

**Election to the Board of Trustees for**

**Coastal Carolina University, 5<sup>th</sup> Congressional District, Seat 5**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 5<sup>th</sup> Congressional District, Seat 5.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Charles E. Lewis had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Charles E. Lewis was elected to the position on the Board of Trustees for Coastal Carolina University, 5<sup>th</sup> Congressional District, Seat 5 for the term to expire June 30, 2023.

**Election to the Board of Trustees for**

**Coastal Carolina University, 7<sup>th</sup> Congressional District, Seat 7**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 7<sup>th</sup> Congressional District, Seat 7.

Representative Whitmire Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Natasha M. Hanna had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Natasha M. Hanna was elected to the position on the Board of Trustees for

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Coastal Carolina University, 7<sup>th</sup> Congressional District, Seat 7 for the term to expire June 30, 2023.

**Election to the Board of Trustees for  
Coastal Carolina University, At-Large, Seat 9**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 9.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Eugene C. Spivey had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Eugene C. Spivey was elected to the position on the Board of Trustees for Coastal Carolina University, at-large, Seat 9 for the term to expire June 30, 2023.

**Election to the Board of Trustees for  
Coastal Carolina University, At-Large, Seat 11**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 11.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that William E. Turner III had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William E. Turner III was elected to the position on the Board of Trustees for Coastal Carolina University, at-large, Seat 11 for the term to expire June 30, 2023.

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**Election to the Board of Trustees for  
Coastal Carolina University, At-Large, Seat 13**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 13.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Lee A. Belcher had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Lee A. Belcher was elected to the position on the Board of Trustees for Coastal Carolina University, at-large, Seat 13 for the term to expire June 30, 2023.

**Election to the Board of Trustees for the  
Medical University of South Carolina  
4<sup>th</sup> Congressional District, Medical Seat**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 4<sup>th</sup> Congressional District, Medical Seat.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that H. Frederick Butehorn III had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable H. Frederick Butehorn was elected to the position on the Board of Trustees for the Medical University of South Carolina, 4<sup>th</sup> Congressional District, Medical Seat for the term to expire June 30, 2020.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 1:23 P.M., the Senate resumed.

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**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

**Local Appointment**

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

New Seat:

Tobias G. Ward, Jr., 534 Congaree Ave., Columbia, SC 29205-2211

**Motion Adopted**

On motion of Senator CAMPBELL, with unanimous consent, Senators DAVIS, RANKIN, HUTTO, GROOMS, SETZLER, LEATHERMAN, MASSEY and MALLOY were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**Doctor of the Day**

Senator TALLEY introduced Dr. Jerome AYA-ay of Spartanburg, S.C., Doctor of the Day.

**CO-SPONSORS ADDED**

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

- S. 112 Sen. Campbell
- S. 125 Sen. Campbell

**RECALLED**

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

Senator BENNETT asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

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



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**RECALLED**

H. 3784 -- Rep. Herbkersman: A BILL TO AMEND SECTION 7-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO ADD THE NEW RIVER, PALMETTO BLUFF, AND SANDY POINTE VOTING PRECINCTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT AN OUTDATED REFERENCE TO THE FORMER OFFICE OF RESEARCH AND STATISTICS.

Senator DAVIS 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**

H. 4106 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH HOPEWELL ROAD TO ITS INTERSECTION WITH ZEIGLER STREET "VIRGIN JOHNSON, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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.

**RECALLED**

S. 676 -- Senator M.B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME MITCHELLVILLE ROAD IN JASPER COUNTY "COUNCILMAN LEROY SNEED ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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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. 811 -- Senator Talley: A SENATE RESOLUTION TO HONOR AND RECOGNIZE ROBERT "BOB" SCHERER FOR HIS TWENTY-THREE YEARS OF SIGNIFICANT CONTRIBUTIONS TO THE AMERICAN LEGION AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 812 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE CAYCE FARMER'S MARKET UPON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND TO COMMEND THE BUSINESS FOR ITS MANY YEARS OF SERVICE TO THE COMMUNITY.

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The Senate Resolution was adopted.

S. 813 -- Senator Setzler: A SENATE RESOLUTION TO HONOR AND RECOGNIZE SUSAN BERRY FOR HER FIFTY YEARS OF SERVICE TO THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 814 -- Senators Nicholson and Gambrell: A SENATE RESOLUTION TO CONGRATULATE ROGER E. STEVENSON, M.D., CO-FOUNDER AND SENIOR CLINICAL GENETICIST OF GREENWOOD GENETIC CENTER, ON RECEIVING THE PRESTIGIOUS AMERICAN COLLEGE OF MEDICAL GENETICS AND GENOMICS FOUNDATION DAVID L. RIMOIN LIFETIME ACHIEVEMENT AWARD IN MEDICAL GENETICS.

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The Senate Resolution was adopted.

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S. 815 -- Senator Scott: A CONCURRENT RESOLUTION TO CONGRATULATE REV. DR. MICHAEL ROSS UPON THE OCCASION OF HIS THIRTIETH ANNIVERSARY AS PASTOR OF NEW EBENEZER BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE COMMUNITY OF COLUMBIA.

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

S. 816 -- Senator J. Matthews: A SENATE RESOLUTION TO RECOGNIZE DR. DAVID LONGSHORE, JR., FORMER SUPERINTENDENT OF ORANGEBURG COUNTY CONSOLIDATED SCHOOL DISTRICT THREE, AND TO CONGRATULATE HIM ON THE RENAMING OF THE LAKE MARION HIGH SCHOOL GYMNASIUM IN HIS HONOR.

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The Senate Resolution was adopted.

H. 4497 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO ENCOURAGE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO TAKE ACTION TO INCREASE AWARENESS OF SHINGLES AND SHINGLES PREVENTION.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 493 -- Senators Senn, Talley, Sabb, Sheheen, Kimpson, McElveen, Allen, Gregory, McLeod, Harpootlian and Hembree: A BILL TO AMEND SECTION 38-77-170 OF THE 1976 CODE, RELATING TO CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF A MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, TO PROVIDE THAT THERE IS A RIGHT OF ACTION OR RECOVERY UNDER THE UNINSURED MOTORIST PROVISION IF THE INJURY OR DAMAGE WAS CAUSED BY THE UNKNOWN VEHICLE, OR THE INSURED CAN PROVE THAT THE INJURY OR DAMAGE WAS CAUSED BY AN UNKNOWN

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VEHICLE BY AN ELECTRONIC OR OTHER RECORDING OR OTHER CLEAR AND CONVINCING EVIDENCE.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

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.

Ordered for consideration tomorrow.

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

H. 3755 -- Reps. Sandifer, Spires and Anderson: A BILL TO AMEND SECTION 38-77-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO AUTOMOBILE INSURANCE COVERAGE, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR THE RENEWAL OF AN AUTOMOBILE COVERAGE POLICY AND TO DEFINE THE TERM "REDUCTION IN COVERAGE"; AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO RENEW A POLICY, SO AS TO ALLOW FOR AN INSURER TO RENEW A POLICY WITH A REDUCTION IN COVERAGE AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE REDUCTION IN COVERAGE.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

Ordered for consideration tomorrow.

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Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4019 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4021 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF SWIMMING OR USE OF CABINS AT STATE PARKS, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 51-3-50, RELATING TO THE POWER OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM TO OPEN PARKS TO NORMAL PUBLIC USE, SO AS TO REMOVE A LIMITATION ON THE DEPARTMENT'S POWER; TO REPEAL SECTION 51-3-20 RELATING TO LIMITATIONS ON THE FACILITIES AT STATE PARKS; TO REPEAL SECTION 51-3-30 RELATING TO PENALTIES FOR USING CABINS OR SWIMMING AT A STATE

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PARK; AND TO REPEAL SECTION 51-3-40 RELATING TO THE LIMITATIONS ON THE OPERATIONS OF CERTAIN STATE PARKS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

Ordered for consideration tomorrow.

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

H. 4244 -- Rep. Sandifer: A BILL TO AMEND SECTION 38-78-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO SERVICE CONTRACTS, SO AS TO EXPAND THE DEFINITION OF "SERVICE CONTRACT" AND "WARRANTY" AND TO DEFINE THE TERMS "ROAD HAZARD", "THEFT PROTECTION PROGRAM", AND "THEFT PROTECTION PROGRAM WARRANTY"; TO AMEND SECTION 38-78-30, RELATING TO SERVICE CONTRACT REQUIREMENTS, SO AS TO EXCLUDE A SERVICE CONTRACT PROVIDER THAT INSURES THEIR OBLIGATIONS UNDER A REIMBURSEMENT INSURANCE POLICY FROM THE FINANCIAL STATEMENT REQUIREMENT FOR REGISTRATION WITH THE DIRECTOR OF THE DEPARTMENT OF INSURANCE; AND TO AMEND SECTION 38-78-50, RELATING TO REQUIRED PROVISIONS IN SERVICE CONTRACTS, SO AS TO REQUIRE A CERTAIN DISCLOSURE.

Ordered for consideration tomorrow.

**Appointment Reported**

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

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**Statewide Appointment**

Initial Appointment, South Carolina Conservation Bank, Executive Director:

Raleigh West

Received as information.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**READ THE SECOND TIME**

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:

**/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

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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;
- (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



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(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 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. /  
Renumber sections to conform.  
Amend title to conform.

Senator GOLDFINCH spoke on the amendment.

**ACTING PRESIDENT PRESIDES**

Senator TALLEY assumed the Chair.

Senator GOLDFINCH continued speaking on the amendment.

**WEDNESDAY, MAY 1, 2019**

**PRESIDENT PRESIDES**

At 2:28 P.M., the PRESIDENT assumed the Chair.

**Motion Adopted**

On motion of Senator MASSEY, with unanimous consent, and Senator GOLDFINCH retaining the floor, the Senate agreed to go into Executive Session.

Senator GOLDFINCH spoke on the amendment.  
Senator MASSEY spoke on the amendment.

**Motion Adopted**

Senator MASSEY asked unanimous consent, to make a motion to give S. 678 second reading, carry over all amendments, waive the provisions of Rule 26B in order to allow amendments to be considered on third reading, and that the Resolution retain masthead status.

There was no objection.

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

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

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

New Seat:

Tobias G. Ward, Jr., 534 Congaree Ave., Columbia, SC 29205-2211

**Motion Adopted**

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

**ADJOURNMENT**

At 3:38 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*

**WEDNESDAY, MAY 1, 2019**

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