

NO. 2

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

WEDNESDAY, JANUARY 9, 2019

Wednesday, January 9, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:30 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:

Psalm 33:11

“The Counsel of the Lord stands forever, the plans of his heart from generation to generation.”

Let us pray. We thank You almighty God, for the rich heritage of our State and for the evidences of Your favor all around us. As we move forward, lead us to not break faith with any of yesterday’s promises, nor leave unrepaired any of yesterday’s wrongs.

May our newly elected Governor Henry McMaster be a breath of fresh air to our State, with his faith renewed, his vision inspired and his decisions defined by Your grace.

Believing that Your hand has brought each person in this Chamber thus far and will not forsake us now. May we all work together, talk together, pray together and act oh God with a singular purpose to do what is right for all the people who have entrusted us with the power to lead this state. And now, oh God, may Your “still small voice” nudge each Senator here on a daily basis as to what is honorable and just in Your eyes. We offer this prayer in Your holy name, Amen.

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

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4829

Agency: South Carolina Human Affairs Commission

Chapter: 65

Statutory Authority: 1976 Code Section 1-13-70

SUBJECT: Guidelines Established

Received by Lieutenant Governor January 8, 2019

Referred to Committee on Judiciary

WEDNESDAY, JANUARY 9, 2019

Doctor of the Day

Senator MALLOY introduced Dr. John C. Ropp of Hartsville, S.C.,
Doctor of the Day.

CO-SPONSORS ADDED

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

S. 89 Sen. McElveen
S. 131 Sen. Shealy
S. 339 Sen. Davis

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 354 -- Senator Martin: A SENATE RESOLUTION TO
RECOGNIZE AND COMMEND AMIKIDS FOR ITS FIFTY YEARS
OF GUIDING TROUBLED YOUTH TO POSITIVE, PRODUCTIVE
ALTERNATIVES TO PAST BEHAVIOR AND ENABLING THEM
TO BECOME SUCCESSFUL CITIZENS OF THIS GREAT STATE.

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The Senate Resolution was adopted.

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

READ THE SECOND TIME

S. 1 -- Senators Leatherman, Peeler, Setzler, Massey, Malloy, Rankin
and Campsen: A BILL TO AMEND SECTION 1-3-210 OF THE 1976
CODE, RELATING TO FILLING VACANCIES WHEN THE
SENATE IS NOT IN SESSION, TO CLARIFY THAT THE
GOVERNOR MAY ONLY MAKE AN INTERIM APPOINTMENT
TO AN OFFICE REQUIRING THE SENATE'S ADVICE AND
CONSENT IF THE APPOINTMENT IS MADE DURING THE SAME
INTERIM DURING WHICH THE OFFICE BECOMES VACANT; TO
PROVIDE THAT, IF THE SENATE DOES NOT CONFIRM AN
INTERIM APPOINTMENT DURING THE NEXT ENSUING
REGULAR LEGISLATIVE SESSION, THE GOVERNOR MAY NOT
MAKE ANOTHER INTERIM APPOINTMENT; AND TO PROVIDE
THAT THE GOVERNOR'S AUTHORITY TO MAKE AN INTERIM
APPOINTMENT TERMINATES WHEN THE GENERAL
ASSEMBLY CONVENES FOR THE REGULAR LEGISLATIVE

[SJ]

WEDNESDAY, JANUARY 9, 2019

SESSION FOLLOWING THE INTERIM PERIOD DURING WHICH THE OFFICE BECAME VACANT.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

READ THE SECOND TIME

S. 2 -- Senators Campsen, Massey and Malloy: A BILL TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE PRESIDENT PRO TEMPORE, TO SUBSTITUTE THE "PRESIDENT OF THE SENATE" FOR THE "PRESIDENT PRO TEMPORE OF THE SENATE," "PRESIDENT PRO TEMPORE," OR "PRESIDENT OF THE SENATE PRO TEMPORE" IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE LIEUTENANT GOVERNOR, TO SUBSTITUTE "PRESIDENT OF THE SENATE" FOR "LIEUTENANT GOVERNOR" OR TO STRIKE REFERENCES TO THE LIEUTENANT GOVERNOR IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS RELATED TO THE DUTIES OF THE LIEUTENANT GOVERNOR WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

RECESS

At 10:45 A.M., on motion of Senator MASSEY, the Senate recessed from business for the purpose of attending the Inaugural Ceremony and following the ceremony, the Senate would stand adjourned.

WEDNESDAY, JANUARY 9, 2019

INAUGURAL PROGRAM

Processional

282nd Army Band, Fort Jackson, Columbia, South Carolina
Chief Warrant Officer Three George T. Bauer, *Commander*
Escorts – Cadets from the Citadel

CEREMONY

The Honorable HARVEY S. PEELER, JR.
President of the Senate, Presiding

**Welcome remarks by HARVEY S. PEELER, JR.,
PRESIDENT of the Senate**

From the mountains to the sea, we love this State -- every day -- all day long. But there is something about “Carolina in the Morning”. Good Morning South Carolina!

Welcome to the inauguration ceremony of our Governor, Henry McMaster, his running mate Lieutenant Governor-elect Pamela Evette and the Constitutional Officers.

Today leaders are gathered from all across South Carolina. To their families thank you. Thank you for allowing your loved ones the time to make our State better.

Our State is represented by folks from all walks of life, from all different backgrounds and experiences, from the beautiful Blue Ridge Mountains, past the hum of commerce and industry, through the fertile fields of Ridge and the Pee Dee to the relaxing Atlantic Coast. I have always believed those differences, coming together, make us a stronger and better state.

In the days ahead there’s going to be debates in the Halls of this building behind us. But we come together on days like today to fulfill the promise of our democracy -- a government of the people, by the people, and for the people.

It’s the people of South Carolina that I’d like to talk about for just a minute. As Governor McMaster says -- it is our people who make South Carolina great. We’ve seen it over and over -- South Carolinians rise to meet every challenge that comes our way. During the floods of 2015 -- and more recently, Hurricanes Florence and Matthew, you couldn’t turn on the television without images of neighbors helping neighbors, friends, family members, or people they didn’t even know in their time of need. Our sense of duty as a state extends far beyond our backyards, though. There are over 30,000 South Carolinians on active duty in the United States Military, and thousands more standing at the ready to answer the call as part of the Reserves and National Guard. South Carolinians are

[SJ]

WEDNESDAY, JANUARY 9, 2019

incredible. They work hard and they work smart. Visit any school and you'll see educators putting in extra time, going above and beyond just to make sure our children and grandchildren are prepared for tomorrow. Our nurses keep us healthy and our linemen keep the lights on. Think about the brave members of our law enforcement, firefighters and emergency response personnel and all they do to help our communities and protect us. We continue to have challenges. Our challenge -- as elected officials -- is to reflect the greatness and dedication of the people across South Carolina who sent us here to serve. All the while being ever mindful that it is their hard earned tax dollars that we prioritize. We're a State rich in history and of unlimited potential. We're a State I'm proud of. Let's remember in this New Year, in this new legislative session, that we all want the same thing -- a safe, prosperous, beautiful State. Let's not allow disagreements on how to achieve our goals impede our progress, and let us draw on our shared vision to come together to improve our State. Let us all continue to be inspired by our greatest resource of all -- hardworking South Carolinians.

To Governor McMaster, Lt. Governor-elect Evette, Constitutional Officers, Senators, and Representatives -- it is an honor to work with you for the people of the Palmetto State. Thank you. God Bless you and God bless the State of South Carolina.

Welcome	The Honorable Harvey S. Peeler, Jr.
Invocation	Dr. Leon Winn <i>Rock Hill Baptist Church, Manning</i>
Presentation of the Colors	The Citadel Color Guard
Pledge of Allegiance	Maj Gen James E. Livingston, MOH, USMC, ret.
Star Spangled Banner	<i>Francis Scott Key and John Stafford Smith</i> Dr. Richard Conant, DMA
"Gloria"	<i>Paul Basler</i>
"America"	<i>arr. Mary McDonald</i>
The Hammond School Select Ensemble Steven Hillard, <i>Director</i> <i>Accompanied by the 282nd Army Band for "America"</i>	

Administration of the Oath to the Office

Lieutenant Governor Lieutenant Governor-Elect Pamela Sue Evette
by Justice John W. Kittredge

WEDNESDAY, JANUARY 9, 2019

State Officers

by Lieutenant Governor Pamela Sue Evette

Secretary of State	The Honorable Mark Hammond
State Treasurer	The Honorable Curtis Loftis, Jr.
Attorney General	The Honorable Alan Wilson
Comptroller General	The Honorable Richard Eckstrom
Superintendent of Education	The Honorable Molly Mitchell Spearman
Adjutant General	The Honorable Robert E. Livingston.
Commissioner of Agriculture	The Honorable Hugh E. Weathers

“Three Patriotic Treasures” *arr. Greg Gilpin*

“Sweet Freedom” *arr. Gwyneth Walker*

Lakewood High School Concert Choir

Tamala Hammond, *Director*

with guest singers from Morris College,

Herbert Johnson, *Director of Choirs*, D’Andre Riley, Eric McClam
and Ben Way

“Arise Beloved” *Rosephanye Powell*

Claflin University Concert Choir

Dr. Jason Dungee, *Conductor*

Administration of the Oath to the Governor

The Honorable Henry Dargan McMaster

by Chief Justice Donald W. Beatty

Inaugural Address The Honorable Henry Dargan McMaster
His Excellency, Governor of South Carolina

INAUGURAL ADDRESS

By the Honorable Henry Dargan McMaster

It is another beautiful day in South Carolina. Thank you for coming. Words cannot express the pride and joy I have to be the Governor of the great state of South Carolina. It is exhilarating and humbling, an honor and a privilege. My family and I thank you.

We are players in a fascinating human history spanning centuries and enveloping all people and countries. This history has many elements, but the one constant is the presence of economic competition: Competition - sometimes rising to warfare -- for land, markets, populations, for resources, all with which to prosper and grow.

WEDNESDAY, JANUARY 9, 2019

That economic competition today is the greatest the world has ever known. It is not only competition with foreign companies, but with foreign nations and their governments as well. It is sophisticated and instant, involving tariffs, taxes, technologies, data analytics and logistics. It is fierce, and it offers reward and security for those who succeed. It is also between states. Viewed in the context of economic competition, it is clear what we must do for future generations of South Carolinians. We must compete. We must win. This is our time. South Carolina is winning. And we will keep winning. Great football coaches have said that the worst mistake a player can make is to fumble the ball. And as the Clemson Tigers just showed the world - South Carolina produces superior teamwork. We will not fumble the football.

As your Governor my game plan is to be bold, to coach a team of talented players who make their teammates better players -- in practice, preparation and then on the field of competition. My game plan for South Carolina requires changing our offensive plays on education. It means putting a strong defense on the field that tackles regulations, keeps high taxes off the field and protects our environment like it is the end zone. There is no doubt that for years we have been winning. By "we," I refer to South Carolina. That means trailblazers and leaders - many of whom are here today. Business leaders, public servants, educators, innovators., doctors and nurses, veterans, first responders and those upcoming. For me, "we" means the five million men, women and children of South Carolina.

In the two years I have been in this office, we have announced over \$8 billion in new capital investment and over 27,000 new jobs. Today, our agricultural base is accelerating, our tourism industry is thriving and we have become a major high-tech manufacturing hub. We are the nation's top exporter of tires -- and of completed automobiles. Our average annual manufacturing employment growth is 16% -- the highest in the southeast.

Over and over we are recognized as one of the best places in the country to do business -- and to visit or vacation. To continue and accelerate this economic prosperity, we must keep taxes low, eliminate suffocating regulations, and invest in infrastructure. Surpluses in state government revenues don't mean we have to spend it all; it means prioritizing the most critical needs then rebating what's not needed back to the taxpayers. That's what I intend to do.

Continued economic prosperity requires reforming our State's tax code. It requires reforming our State's marginal income and corporate tax rates to keep South Carolina competitive for jobs, investment and talent.

[SJ]

WEDNESDAY, JANUARY 9, 2019

Prosperity requires that we increase our investment in developing a skilled workforce to fill the demands of today and tomorrow.

The skills required in today's modern workplace require us to stay ahead of demand and adapt with rapid advancements in technology. Modern manufacturing plants and assembly lines have transformed into intricate computerized environments driven by advanced robotics, artificial intelligence, and sophisticated logistical delivery systems designed to deliver finished products around the world. Made in South Carolina.

It also requires that we invest in skilled workers in the trades -- plumbing, masonry, carpentry, and others. Materials, methods and tools have changed. Skilled workers are in such high demand today that we have to go out of state to recruit them. Right now South Carolina has 60,000 of those highly paid jobs looking for people. Our competitors have the same problem.

For decades every family's goal was for their children to go to college, which meant a four-year college degree. Higher education was -- and still is -- the key to success. But now we know that economic prosperity does not necessarily require a four-year degree. Economic prosperity can be achieved through two-year associate degrees and a multitude of certificates from our State's technical colleges. Our technical college system is the best in the country. It is unique, with readySC training employees for our State's manufacturers and with bachelor's degrees in applied manufacturing. South Carolina's technical colleges are assets of enormous opportunity for our future!

So, we must also increase our investment in developing this skilled workforce. Additional workforce scholarships, grants and partnerships between our technical schools, high schools and local businesses will expand our State's pipeline of talent, as will partnerships between our research universities and manufacturers. A strong, skilled workforce ensures economic prosperity for all South Carolinians. We must be bold, aggressive, alert and we must think long-term. We must also commit ourselves to providing the highest quality education for South Carolina's children if we are to continue to compete in the future for jobs and economic prosperity. Here's a pertinent example from sports competition: NASCAR racing in Darlington. In 2003, after 400 miles with average speeds topping 125 miles per hour, including yellow flags and pit stops, Ricky Craven in a number 32 Pontiac beat Kurt Busch in a number 97 Ford by two one-thousandths of a second. In distance, that would be the thickness of the paint on the front bumper. If one of Mr. Craven's tires had been even a little bit flat, he would have lost.

WEDNESDAY, JANUARY 9, 2019

Similarly, our State will never excel and succeed to our fullest potential if parts of our State are "flat"-- or not performing. If we are bold and prepare for the race in front of us -- South Carolina will beat the competition every time. Months ago, I had a conversation with the district superintendent of one of our rural counties. Education suffers there, and once grown, young people are leaving. There is nothing for them there, except family. Asked what the impact would be of a manufacturing company seeking 500 workers for a new plant in her county, which has none, she said, "It would change everything!" That is what we intend to do, change everything.

My pledge to you today is that the words "Corridor of Shame" will soon be a fading memory. This will require a state-backed economic development commitment to bring jobs to these communities by providing infrastructure in rural areas -- not only in water, sewer and roads, but in school buildings and facilities. This will provide the spark. We must be bold. Being perceived as weak in education is not good. But, being perceived as not committed to fixing it is disastrous. We will fix it and we will keep winning.

Coupled with the empowerment of investment -- both private and public -- envisioned by Jack Kemp twenty years ago and brought to reality by Senator Tim Scott with the creation of opportunity zones -- we now have additional power to unleash the free market and public investment -- to defeat the enemy of progress known as poverty. We must also recruit and build the best team of teachers and educators in the country. This will require imagination and determination. It will require providing South Carolina's teachers with compensation that is competitive -- in the southeast and across the nation. We must also embark on providing bold reform: Reforming education funding, making our schools safe with school resource officers and mental health counselors, restoring old-fashioned discipline in the classroom, common sense relief for our teachers from testing, forms and paperwork, consolidating school districts and giving our State superintendent the authority to remove and replace non-productive school boards. Over the years in the education debate, the riddle about "the chicken or the egg" always comes up. Which comes first? Is it the strong family, the job or the education? We don't know. But we do know that if we lack any one of the three -- strong families, jobs or education -- we will not have the other two. In short, we know that our success in today's world-wide economic competition depends on our intellectual capacity, training, research and development, knowledge, innovation and imagination. In a

WEDNESDAY, JANUARY 9, 2019

word, on our brain power. That is why South Carolina's commitment to education must be second to none in the United States.

Finally, we must endeavor to always protect our State's environment, our spectacular natural resources. This land, as noted by the explorers for kings and queens, is lush, fertile and brimming with abundance in plant and animal life. It is irreplaceable. The obligation and privilege of our generation and others is to use it, cultivate it, develop it and also to protect it and encroach upon it only gently. Our economic growth and the preservation of our natural environment are not opposing objectives which must be balanced as in a competition, one against the other. Instead, they are complementary, intertwined and inseparable, each dependent on the other.

To these ends, I recently established the South Carolina Floodwater Commission. It is unique in the United States. The commission's purpose is to provide guidance, solutions and opportunities presented by inland and coastal flooding and all that entails. Its scope will be global, to be applied here. Economic prosperity requires that we address water in a comprehensive fashion -- whether it is flooding, sea rise, aquifer depletion or upstream withdrawal. Make no mistake -- a plentiful water supply is essential to our manufacturing, agricultural and tourism industries as well as our quality of life -- so we must work diligently and intelligently, and we must plan for the long-term. And let me assure you that I will firmly stand against all efforts to endanger the future of our pristine coastline, our beaches, our sea islands, our marshes and our watersheds.

In closing, let me say two things: First, to the members of the General Assembly -- we, among ourselves, are not competitors. We are all on the same team -- with the same ultimate goal -- which is the prosperity and happiness of the people of South Carolina. And, second, but foremost, to the young people of South Carolina, let me say: I see before us the brightest of futures. But we must think big, have confidence and be bold. We will do things we have not done before. And we will succeed.

May God bless you, the great state of South Carolina and the United States of America.

“Redeeming Love, Repeated Praise”
(A Sacred Harp Trilogy, 2010)

Robert J. Powell

The South Carolina Governor's School for the
Arts and Humanities Choir

[SJ]

10

WEDNESDAY, JANUARY 9, 2019

Dr. David Rhyne, *Conductor*

Benediction The Reverend Dr. Derek W. H. Thomas
 First Presbyterian Church, Columbia

Recessional

“God Bless America” arr. Keith Christopher and John Moss

Claflin University Concert Choir
The South Carolina Governor’s School for the
Arts and humanities Choir
The Hammond Select Ensemble
Lakewood High School Concert Choir
Dr. Jason Dungee, *Conductor*

Motion Adopted

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

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Heitsman, Jr. of Darlington, S.C. William taught at Hartsville High School until his retirement and later became a speech adjunct instructor at Francis Marion University. He was a member of St. Matthews Episcopal Church and St. Catherine’s Episcopal Church and was active in the Optimist Club and SCEA. William was a loving husband, devoted father and doting grandfather who will be dearly missed.

WEDNESDAY, JANUARY 9, 2019

MOTION ADOPTED

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Roosevelt Quarles of Greenwood, S.C. Roosevelt was employed with Velux and was a member of Old Mt. Zion Baptist Church. He served our country for four years in the United States Army, was a lifetime member of the Brewer High School National Alumni Association, Prince Hall Masons Harmony Lodge #37, Emerald High School Hall of Fame and the Frank G. Russell Technology Board Project Lead the Way Advisory Council. Roosevelt was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Viola P. Richburg Dingle of Manning, S.C. Mrs. Dingle was the wife of Judge James Dingle. Viola was a loving wife who will be dearly missed.

ADJOURNMENT

At 12:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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WEDNESDAY, JANUARY 9, 2019

SENATE JOURNAL INDEX

S. 1.....	2	S. 354.....	2
S. 2.....	3		