**Wednesday, February 5, 2020**

**(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:

Psalm 46:1, 2a

“God is our refuge and strength, a very present help in trouble. Therefore we will not fear…”

Let us pray. Almighty God, You are a very present help in times of trouble. Though we are the most blessed nation on earth and arguably in history, our blessings do not inoculate us from suffering. Even in these hallowed halls where each person is met with a broad smile and a cheerful greeting, there is pain beneath the surface. Many of our colleagues carry heavy burdens -- a gnawing fear of a frightening health issue either personally or in a dear friend or a loved one. We wish sometimes that You, O God, had created us to be eternal -- the irony is --You did! You breathed life into each one of us with a plan for us to be useful, productive and loving for as long as we have these mortal bodies. You have opened every door for us with Your healing hand and Your guidance for the medical community that treats us. We offer this prayer in Your holy name. Amen.

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

**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed that the Senate would reconvene after the conclusion of the Joint Assembly at 2:00 P.M.

**RECESS**

At 11:55 A.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

**JOINT ASSEMBLY**

**Elections**

At 12:00 Noon, 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.

**Election of a Justice, Supreme Court, Seat 5**

The PRESIDENT announced that nominations were in order to elect

a successor to the position of Justice, Supreme Court, Seat 5.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable George C. James, Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable George C. James Jr. in nomination, 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 C. James, Jr. was elected to the position Justice, Supreme Court, Seat 5 for the term to expire July 31, 2030.

**Election of a Court of Appeals Judge, Seat 7**

The PRESIDENT announced that nominations were in order to elect

a successor to the position of Judge, Court of Appeals, Seat 7.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Stephanie Pendarvis McDonald had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Stephanie Pendarvis McDonald in nomination, 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 Stephanie Pendarvis McDonald was elected to the position of Judge, Court of Appeals, Seat 7 for the term to expire June 30, 2026.

**Election of a Circuit Court Judge, At-Large, Seat 11**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 11.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Alison Renee Lee had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Alison Renee Lee in nomination, moved that the 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 Alison Renee Lee was elected to the position of Judge, Circuit Court, at-large, Seat 11 for the term to expire June 30, 2026.

**Election of a Circuit Court Judge, At-Large, Seat 13**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 13.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Amanda A. Bailey, Debbie Chapman and the Honorable Marvin H. Dukes III had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr. the names of Amanda A. Bailey and the Honorable Marvin H. Dukes III were withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of Debbie Chapman in nomination, moved that the nominations be closed and, asked unanimous consent that the vote be taken by acclamation.

Representative Hill objected and a roll call vote was ordered.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Alexander Allen Bennett

Campbell Campsen Cash

Climer Corbin Cromer

Davis Fanning Gambrell

Goldfinch Gregory Grooms

Hutto Johnson Kimpson

Loftis Malloy Massey

*Matthews, John* McLeod Nicholson

Peeler Rankin Rice

Sabb Setzler Shealy

Sheheen Talley Turner

Verdin Williams Young

**Total--36**

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Allison Anderson Atkinson

Bailey Bales Bamberg

Bannister Bennett Bernstein

Blackwell Bradley Brawley

Brown Bryant Burns

Calhoon Caskey Chumley

Clary Clemmons Clyburn

Cobb-Hunter Cogswell Collins

B. Cox W. Cox Crawford

Daning Davis Dillard

Elliott Erickson Felder

Forrest Forrester Fry

Funderburk Gagnon Garvin

Gilliam Gilliard Haddon

Hardee Hart Hayes

Henderson-Myers Henegan Herbkersman

Hewitt Hiott Hixon

Hosey Howard Huggins

Hyde Jefferson Johnson

Jordan Kimmons King

Kirby Ligon Long

Lowe Lucas Mace

Mack Magnuson Martin

Matthews McCoy McCravy

McDaniel McGinnis McKnight

D. C. Moss Murphy B. Newton

W. Newton Oremus Ott

Parks Pendarvis Pope

Ridgeway Rivers Robinson

Rose Rutherford Simrill

G. M. Smith G. R. Smith Sottile

Spires Stavrinakis Stringer

Tallon Taylor Thayer

Thigpen Trantham Weeks

West Wheeler White

Whitmire R. Williams S. Williams

Willis Wooten Yow

**Total--111**

The following named Representatives voted in the negative:

Hill Jones

**Total--2**

**RECAPITULATION**

Total number of Senators voting 36

Total number of Representatives voting 113

Grand Total 149

Ayes 147

Nays 2

Whereupon, the PRESIDENT announced that the Honorable Debbie Chapman was elected to the position of Judge, Circuit Court, at-large, Seat 13 for the term to expire June 30, 2026.

**Election of a Family Court Judge, 3rd Judicial Circuit, Seat 3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Ernest Joseph Jarrett had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of Ernest Joseph Jarrett in nomination, 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 Ernest Joseph Jarrett was elected to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 3 for the term to expire June 30, 2025.

**Election of a Family Court Judge, 4th Judicial Circuit, Seat 3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 4th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Michael S. Holt had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Michael S. Holt in nomination, 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 Michael S. Holt was elected to the position of Judge, Family Court, 4th Judicial Circuit, Seat 3 for the term to expire June 30, 2026.

**Election of a Family Court Judge, 5th Judicial Circuit, Seat 1**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 5th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Blakely Copeland Cahoon, Laurel Eden Harvey Hendrick and C. Vance Stricklin, Jr. had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr. the names of Laurel Eden Harvey Hendrick and Blakely Copeland Cahoon were withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of C. Vance Stricklin, Jr. in nomination, 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 C. Vance Stricklin, Jr. was elected to the position of Judge, Family Court, 5th Judicial Circuit, Seat 1 for the term to expire June 30, 2022.

**Election of a Family Court Judge, 6th Judicial Circuit, Seat 2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 6th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Debra A. Matthews had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Debra A. Matthews in nomination, 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 Debra A. Matthews was elected to the position of Judge, Family Court, 6th Judicial Circuit, Seat 2 for the term to expire June 30, 2026.

**Election of a Family Court Judge, 9th Judicial Circuit, Seat 5**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 5.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Spiros Stavros Ferderigos, Marissa K. Jacobson and Julianne M. Stokes had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr. the names of Marissa K. Jacobson and Julianne M. Stokes were withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of Spiros Stavros Ferderigos in nomination, 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 Spiros Stavros Ferderigos was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 5 for the term to expire June 30, 2026.

**Election of a Family Court Judge, 10th Judicial Circuit, Seat 3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 10th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that M. Scott McElhannon and Brittany Dreher Senerius had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr. the name of Brittany Dreher Senerius was withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of M. Scott McElhannon in nomination, 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 M. Scott McElhannon was elected to the position of Judge, Family Court, 10th Judicial Circuit, Seat 3 for the term to expire June 30, 2025.

**Election of a Family Court Judge, 13th Judicial Circuit, Seat 5**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 5.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Tarita A. Dunbar had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Tarita A. Dunbar in nomination, 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 Tarita A. Dunbar was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 5 for the term to expire June 30, 2026.

**Election of a Family Court Judge, 14th Judicial Circuit, Seat 2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 14th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Jean K. McCormick and the Honorable Douglas L. Novak had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr. the name of Jean K. McCormick was withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Douglas L. Novak in nomination, 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 Douglas L. Novak was elected to the position of Judge, Family Court, 14th Judicial Circuit, Seat 2 for the term to expire June 30, 2022.

**Election of a Family Court Judge, 15th Judicial Circuit, Seat 3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 15th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Ronald R. Norton had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Ronald R. Norton in nomination, 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 Ronald R. Norton was elected to the position of Judge, Family Court, 15th Judicial Circuit, Seat 3 for the term to expire June 30, 2026.

**Election of a Family Court Judge, At-Large, Seat 1**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Martha M. Rivers Davisson, Kimaka (Kim) Nichols-Graham and R. Chadwick (Chad) Smith had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr. the names of Martha M. Rivers Davisson and R. Chadwick (Chad) Smith were withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of Kimaka (Kim) Nichols-Graham in nomination, 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 Kimaka (Kim) Nichols-Graham was elected to the position of Judge, Family Court, at-large, Seat 1 for the term to expire June 30, 2025.

**Election of a Family Court Judge, At-Large, Seat 2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Bryan C. Able, Timothy E. Madden and Rebecca West had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr. the names of the Honorable Bryan C. Able and Rebecca West were withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of Timothy E. Madden in nomination, 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 Timothy E. Madden was elected to the position of Judge, Family Court, at-large, Seat 2 for the term to expire June 30, 2025.

**Election of an Administrative Law Court Judge, Seat 3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Harold W. (Bill) Funderburk Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Harold W. (Bill) Funderburk, Jr. in nomination, 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 Harold W. (Bill) Funderburk, Jr. was elected to the position of Judge, Administrative Law Court, Seat 3 for the term to expire June 30, 2025.

**Election of an Administrative Law Court Judge, Seat 4**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 4.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Deborah Brooks Durden had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Deborah Brooks Durden in nomination, 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 Deborah Brooks Durden was elected to the position of Judge, Administrative Law Court, Seat 4 for the term to expire June 30, 2025.

**Election to the Board of Trustees for**

**Coastal Carolina University, At-Large, Seat 8**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Coastal Carolina University, at-large, Seat 8.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Toby S. Jenkins and Jason M. Repak had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, with unanimous consent, the name of Toby S. Jenkins was withdrawn from consideration.

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 Jason M. Repak was elected to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 8 for a term to expire June 30, 2021.

**Election to the Board of Trustees for**

**the Wil Lou Gray Opportunity School**

**At-Large Seat**

The PRESIDENT announced that nominations were in order to elect successors to the at-large seat on the Board of Trustees for the Wil Lou Gray Opportunity School.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Greg Vaughn 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 nominees.

Whereupon, the PRESIDENT announced that the Honorable Greg Vaughn was elected to a position on the Board of Trustees for the Wil Lou Gray Opportunity School at-large seat for the term to expire June 30, 2021.

**Election to the Old Exchange Building Commission**

**Two At-Large Seats**

The PRESIDENT announced that nominations were in order to elect a successors to the two at-large seats on the Old Exchange Building Commission. Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Catherine M. Patterson and J. Tracy Power 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 Catherine M. Patterson and the Honorable J. Tracy Power were elected to the two at-large seats on the Old Exchange Building Commission for the terms to expire June 30, 2024.

**Election to the Legislative Audit Council**

**Attorney Seat**

The PRESIDENT announced that nominations were in order to elect an attorney seat to the Legislative Audit Council.

Senator ALEXANDER indicated that Charles L. A. Terreni had been screened and found qualified to serve and placed his name in nomination.

Senator ALEXANDER 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 L. A. Terreni was elected to the Legislative Audit Council Attorney seat for the term to expire June 30, 2025.

**Election to the Legislative Audit Council**

**Certified Public Accountant Seat**

The PRESIDENT announced that nominations were in order to elect a certified public accountant to the Legislative Audit Council.

Senator ALEXANDER indicated that Rodney E. Druschel and Phillip F. Laughridge had been screened and found qualified to serve and their names were placed in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Rodney E. Druschel:

Alexander Bennett Campbell

Fanning Gambrell Goldfinch

Hutto *Matthews, John* Peeler

Rankin

**Total--10**

The following named Senators voted for Phillip F. Laughridge:

Allen Campsen Cash

Climer Cromer Davis

Grooms Johnson Kimpson

Loftis Malloy McLeod

Nicholson Rice Sabb

Setzler Shealy Talley

Turner Verdin Young

**Total--21**

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Rodney E. Druschel:

Allison Anderson Bailey

Bales Blackwell Brawley

Bryant Cobb-Hunter Cogswell

B. Cox Daning Davis

Elliott Felder Forrest

Forrester Gilliam Gilliard

Govan Hardee Henderson-Myers

Henegan Hewitt Hixon

Hyde Jefferson Johnson

Jordan Kimmons King

Kirby Ligon Lowe

Mace Mack Martin

Matthews McCoy McDaniel

McGinnis McKnight Murphy

B. Newton Parks Pendarvis

Rivers Robinson Rutherford

Simrill Sottile Stavrinakis

Thigpen Whitmire S. Williams

**Total--54**

The following named Representatives voted for Phillip F. Laughridge:

Bannister Bennett Bernstein

Brown Burns Calhoon

Caskey Chumley Clary

Clemmons Clyburn Crawford

Dillard Erickson Gagnon

Haddon Hayes Henegan

Herbkersman Hiott Huggins

Lucas McCravy Morgan

D. C. Moss W. Newton Oremus

Ridgeway Rivers Rose

Sandifer G. M. Smith G. R. Smith

Spires Stringer Tallon

Taylor Thayer Trantham

Weeks Wheeler R. Williams

Willis Wooten Yow

**Total--45**

**RECAPITULATION**

Total number of Senators voting 31

Total number of Representatives voting 99

Grand Total 130

Necessary to a choice 66

Of which Rodney E. Druschel received 64

Of which Phillip F. Laughridge received 66

Whereupon, the PRESIDENT announced that the Honorable Phillip F. Laughridge was elected to the Legislative Audit Council Certified Public Accountant Seat for the term to expire June 30, 2025.

**Election to the Legislative Audit Council**

**At-Large Seat**

The PRESIDENT announced that nominations were in order to elect an at-large seat to the Legislative Audit Council.

Senator ALEXANDER indicated that Dennis Caldwell and Jane P. Miller had been screened and found qualified to serve and their names were placed in nomination.

On motion of Senator ALEXANDER, with unanimous consent, the name of Dennis Caldwell was withdrawn from consideration.

Senator ALEXANDER 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 Jane P. Miller was elected to the Legislative Audit Council at-large seat for the term to expire June 30, 2025.

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 2:00 P.M., the Senate resumed.

**Point of Quorum**

At 2:01 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Allen Bennett

Campbell Campsen Cash

Climer Corbin Cromer

Davis Fanning Gambrell

Gregory Grooms Hembree

Hutto Johnson Kimpson

Martin Peeler Rice

Sabb Scott Senn

Shealy Sheheen Talley

Turner Williams Young

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

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

John A. Love, 299 Southgate Court, Pawley's Island, SC 29585

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

Steven C. Pop, 47 Deer Moss Court, Pawley's Island, SC 29585-8170

**Doctor of the Day**

Senator MARTIN introduced Dr. H. Fritz Butehorn of Spartanburg, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator WILLIAMS, at 3:30 P.M., Senator McELVEEN was granted a leave of absence until 5:30 P.M.

**Leave of Absence**

On motion of Senator RICE, at 5:52 P.M., Senator SENN was granted a leave of absence for the balance of the day.

**CO-SPONSORS ADDED**

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

S. 9 Sens. Climer, Bennett and Grooms

S. 511 Sen. Fanning

S. 870 Sen. Scott

S. 890 Sen. Talley

S. 998 Sen. Fanning

S. 1060 Sen. Davis

S. 1071 Sen. Talley

S. 1077 Sen. M.B. Matthews

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1074 -- Senator Campbell: A SENATE RESOLUTION TO RECOGNIZE MARCH 10, 2020, AS "4-H DAY" IN SOUTH CAROLINA AND TO COMMEND THE 4-H LEADERSHIP TEAM FOR ITS NUMEROUS ACCOMPLISHMENTS AND FOR THE LEADERSHIP THAT IT HAS DEMONSTRATED.

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The Senate Resolution was adopted.

S. 1075 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE MR. JIMMY YOUNG, TO HONOR HIM FOR HIS HARD WORK, DEDICATION, AND COMMITMENT TO THE COMMUNITY OF ST. LUKE AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED BLESSINGS AND SUCCESS IN ALL OF HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1076 -- Senators Scott, Hembree, Campsen, McElveen, Rice, Sheheen, Cromer, Peeler, Shealy, Grooms, Williams, Malloy, Sabb, Campbell, Jackson, Kimpson, McLeod, M. B. Matthews, Allen, Gregory, Setzler, Johnson, Nicholson, Hutto, Reese, Talley, Turner, Harpootlian and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 25 TO CHAPTER 9, TITLE 58 ENTITLED "BROADBAND ACCESSIBILITY ACT" SO AS TO PROVIDE LEGISLATIVE FINDINGS; TO DEFINE RELEVANT TERMS; TO AUTHORIZE AND REGULATE THE PROVISION OF BROADBAND INTERNET ACCESS SERVICE BY ELECTRIC COOPERATIVES; TO AMEND SECTION 33-49-20, RELATING TO DEFINITIONS APPLICABLE TO THE "ELECTRIC COOPERATIVE ACT", SO AS TO DEFINE THE TERM "BROADBAND SYSTEM"; TO AMEND SECTION 33-49-150, RELATING TO THE AUTHORITY AND JURISDICTION OF THE OFFICE OF REGULATORY STAFF OVER ELECTRIC COOPERATIVES, SO AS TO VEST THE OFFICE OF REGULATORY STAFF WITH THE AUTHORITY AND JURISDICTION TO CONDUCT INSPECTIONS, AUDITS, AND EXAMINATIONS REGARDING THE COMPLIANCE OF ELECTRIC COOPERATIVES WITH THE PROVISIONS OF THIS ACT; AND TO AMEND SECTION 33-49-250, RELATING TO THE POWERS OF ELECTRIC COOPERATIVES, SO AS TO PROVIDE THAT A COOPERATIVE HAS THE POWER TO WHOLLY OR PARTIALLY OWN, OPERATE, MAINTAIN, CONSTRUCT, INSTALL, AND REPLACE A BROADBAND SYSTEM DIRECTLY OR INDIRECTLY, THROUGH ITSELF OR THROUGH ANOTHER ENTITY INCLUDING, BUT NOT LIMITED TO, A SUBSIDIARY, A CORPORATION, OR A COOPERATIVE OF WHICH IT IS A MEMBER OR AN AFFILIATE.

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Senator SCOTT spoke on the Bill.

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

S. 1077 -- Senators Bennett, McElveen, Martin, Sheheen, Campsen, Rice, Shealy, Climer, Goldfinch, Grooms, Turner, Corbin, Campbell, Alexander, Gregory, Talley, Massey, Malloy, Gambrell, Cash, Davis, Hembree, Johnson, Verdin and M. B. Matthews: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, TO EXEMPT THE ESTABLISHMENT OF A SUBSPECIALTY PERINATAL CENTER WITH A NEONATAL INTENSIVE CARE UNIT (LEVEL III) WITHIN A LICENSED HOSPITAL; AND TO AMEND SECTION 44-7-260 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR LICENSURE, TO ALLOW A HOSPITAL LICENSED AS A LEVEL II SPECIAL CARE NURSERY TO ESTABLISH A SUBSPECIALTY PERINATAL CENTER WITH NEONATAL INTENSIVE CARE UNIT (LEVEL III) UPON DEMONSTRATING COMPLIANCE WITH SPECIFIED GUIDELINES FOR PERINATAL CARE, AND TO PROVIDE THAT A LEVEL III UNIT MAY PERFORM A NEONATAL TRANSPORT.

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

S. 1078 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF AUGUSTA STREET IN THE CITY OF GREENVILLE FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH MAIN STREET "FRED D. GARRETT, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1079 -- Senators Hutto, Alexander, Allen, Bennett, M. B. Matthews, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Jackson, Johnson, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, J. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE WEDNESDAY, FEBRUARY 5, 2020, AS "SUITS AND SNEAKERS DAY" IN SOUTH CAROLINA IN ORDER TO HONOR CANCER PATIENTS, SURVIVORS, AND THEIR FAMILIES AND TO REMEMBER THOSE WHO HAVE LOST THEIR LIVES TO CANCER.

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The Senate Resolution was adopted.

S. 1080 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 25 TO CHAPTER 9, TITLE 58 ENTITLED "BROADBAND ACCESSIBILITY ACT" SO AS TO PROVIDE LEGISLATIVE FINDINGS; TO DEFINE RELEVANT TERMS; TO AUTHORIZE AND REGULATE THE PROVISION OF BROADBAND INTERNET ACCESS SERVICE BY ELECTRIC COOPERATIVES; TO AMEND SECTION 33-49-20, RELATING TO DEFINITIONS APPLICABLE TO THE "ELECTRIC COOPERATIVE ACT", SO AS TO DEFINE THE TERM "BROADBAND SYSTEM"; TO AMEND SECTION 33-49-150, RELATING TO THE AUTHORITY AND JURISDICTION OF THE OFFICE OF REGULATORY STAFF OVER ELECTRIC COOPERATIVES, SO AS TO VEST THE OFFICE OF REGULATORY STAFF WITH THE AUTHORITY AND JURISDICTION TO CONDUCT INSPECTIONS, AUDITS, AND EXAMINATIONS REGARDING THE COMPLIANCE OF ELECTRIC COOPERATIVES WITH THE PROVISIONS OF THIS ACT; AND TO AMEND SECTION 33-49-250, RELATING TO THE POWERS OF ELECTRIC COOPERATIVES, SO AS TO PROVIDE THAT A COOPERATIVE HAS THE POWER TO WHOLLY OR PARTIALLY OWN, OPERATE, MAINTAIN, CONSTRUCT, INSTALL, AND REPLACE A BROADBAND SYSTEM DIRECTLY OR INDIRECTLY, THROUGH ITSELF OR THROUGH ANOTHER ENTITY INCLUDING, BUT NOT LIMITED TO, A SUBSIDIARY, A CORPORATION, OR A COOPERATIVE OF WHICH IT IS A MEMBER OR AN AFFILIATE.

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

S. 1081 -- Senator Harpootlian: A BILL TO AMEND SECTION 44-34-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN RESTRICTIONS ON LOCATIONS OF TATTOO FACILITIES, SO AS TO ALLOW THE ISSUANCE OF A LICENSE FOR SUCH A FACILITY IF ALL CHURCHES, SCHOOLS, AND PLAYGROUNDS WITHIN THE PARAMETERS AFFIRMATIVELY STATE THAT THEY DO NOT OBJECT TO THE ISSUANCE, WITH EXCEPTIONS.

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

S. 1082 -- Senator Campsen: A SENATE RESOLUTION TO CONGRATULATE THE MOUNT PLEASANT TRACK CLUB AND COACHES ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR THEIR STELLAR PERFORMANCE AT THE USA TRACK & FIELD JUNIOR OLYMPIC CROSS COUNTRY CHAMPIONSHIPS.

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The Senate Resolution was adopted.

S. 1083 -- Senator Kimpson: A JOINT RESOLUTION TO PROVIDE THAT A REGISTERED ELECTOR WHO CASTS A BALLOT IN A PRESIDENTIAL PREFERENCE PRIMARY OF A CERTIFIED POLITICAL PARTY MAY CAST A FUTURE BALLOT IN THE PRESIDENTIAL PREFERENCE PRIMARY OF ONLY THAT CERTIFIED POLITICAL PARTY, AND TO PROVIDE A SUNSET PROVISION.

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Senator KIMPSON spoke on the Resolution.

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

S. 1084 -- Senator Grooms: A BILL TO AMEND ARTICLE 3, CHAPTER 25, TITLE 57 OF THE 1976 CODE, RELATING TO THE HIGHWAY ADVERTISING CONTROL ACT, BY ADDING SECTION 57-25-187, TO PROVIDE THAT AN OWNER OF AN OUTDOOR ADVERTISING SIGN SHALL HAVE THE OPTION TO RELOCATE OR ADJUST THE SIGN IF THE SIGN IS OBSTRUCTED BY THE CONSTRUCTION OF A SOUND BARRIER, TO PROVIDE THAT THE COST OF RELOCATING OR ADJUSTING THE SIGN SHALL BE PAID BY THE ENTITY RESPONSIBLE FOR THE CONSTRUCTION OF THE SOUND BARRIER, AND TO PROVIDE THAT A LOCAL GOVERNMENT SHALL PROVIDE COMPENSATION IF THE DEPARTMENT OF TRANSPORTATION ISSUES AN ENCROACHMENT PERMIT TO THE LOCAL GOVERNMENT FOR THE CONSTRUCTION OF A SOUND BARRIER WITHIN A HIGHWAY RIGHT-OF-WAY; AND TO AMEND SECTION 57-25-190 OF THE 1976 CODE, RELATING TO COMPENSATION FOR THE REMOVAL OF SIGNS AND RELOCATION OF SIGNS AFFECTED BY HIGHWAY PROJECTS, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY JUST COMPENSATION UPON THE REMOVAL OF AN OUTDOOR ADVERTISING SIGN IF THE VISIBILITY OR READABILITY OF THE SIGN HAS BEEN OBSTRUCTED BY THE CONSTRUCTION OF A SOUND BARRIER WITHIN THE HIGHWAY RIGHT-OF-WAY.

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

S. 1085 -- Senators Williams, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Verdin and Young: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG UNITED STATES HIGHWAY 501 BYPASS IN MARION COUNTY WHICH CROSSES UNITED STATES HIGHWAY 76 "PFC MICHAEL SHAWN LATU MEMORIAL BRIDGE" AND ERECT SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1086 -- Senator Turner: A SENATE RESOLUTION TO CONGRATULATE LLOYD SAMUEL GREEN, SR., OF MAULDIN ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

H. 4209 -- Reps. White, Trantham, Hiott, Kirby, R. Williams, Jefferson, Atkinson, Johnson, Hardee, B. Newton, Henegan, Forrest and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-1-165 SO AS TO CREATE THE "SOUTH CAROLINA FARM AID FUND" TO ASSIST FARMERS WHO HAVE SUFFERED AT LEAST A FORTY PERCENT LOSS OF AGRICULTURAL COMMODITIES AS A RESULT OF A CATASTROPHIC WEATHER EVENT, TO PROVIDE THAT THE FUND MUST BE ADMINISTERED BY THE DEPARTMENT OF AGRICULTURE, TO CREATE A FARM AID ADVISORY BOARD TO MAKE RECOMMENDATIONS, AND TO SPECIFY ELIGIBILITY AND GRANT AMOUNTS.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4737 -- Reps. Huggins, Rutherford, Wooten, Forrest, Wheeler, Hixon, Hill, R. Williams, Jefferson and Calhoon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

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

H. 5018 -- Reps. Hiott, Kirby, R. Williams, Jefferson and Forrest: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-125, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO TRANSMIT CERTAIN DOCUMENTS ELECTRONICALLY FOR A CERTIFICATE OF TITLE, TO ALLOW FOR THE COLLECTION OF AN ELECTRONIC TRANSMISSION FEE, AND TO REQUIRE THE USE OF AN ELECTRONIC LIEN SYSTEM FOR BUSINESSES AND LENDERS ENGAGED IN THE SALE OF WATERCRAFT AND OUTBOARD MOTORS OR THE FINANCING OF WATERCRAFT OR OUTBOARD MOTORS; AND TO AMEND SECTION 50-23-140, RELATING TO THE PRIORITY AND VALIDITY OF LIENS UPON A CERTIFICATE OF TITLE FOR A WATERCRAFT OR OUTBOARD MOTOR, SO AS TO ALLOW FOR THE RETENTION OR DISCHARGE OF A LIEN ELECTRONICALLY.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 9 -- Senators Peeler, Johnson, Rice, Gregory, Turner, Climer, Bennett and Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑1885 SO AS TO PROVIDE THE CIRCUMSTANCES WHEN IT IS LAWFUL TO DRIVE A VEHICLE IN THE LEFT LANE OF AN INTERSTATE HIGHWAY, AND TO PROVIDE THE CIRCUMSTANCES UNDER WHICH A TRAFFIC TICKET MAY BE ISSUED FOR THE VIOLATION OF THIS PROVISION.

Ordered for consideration tomorrow.

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

S. 545 -- Senator Alexander: A BILL TO AMEND SECTION 12‑43‑335(A) OF THE 1976 CODE, RELATING TO ASSESSING THE PROPERTY OF MERCHANTS AND OTHER RELATED BUSINESSES, TO REQUIRE THE DEPARTMENT OF REVENUE TO FOLLOW CERTAIN NORTH AMERICAN CLASSIFICATION SYSTEM MANUAL PROVISIONS; AND TO REPEAL SECTION 12‑39‑70 OF THE 1976 CODE, RELATING TO APPRAISING AND ASSESSING THE PERSONAL PROPERTY OF BUSINESSES UNDER THE JURISDICTION OF THE COUNTY AUDITOR.

Ordered for consideration tomorrow.

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

S. 883 -- Senators Cromer, Setzler, Massey, Jackson and Shealy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 55‑11‑440 SO AS TO PROVIDE THE RICHLAND‑LEXINGTON AIRPORT COMMISSION MAY MAKE APPLICATION FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING FOREIGN‑TRADE ZONES IN CERTAIN COUNTIES, SELECT AND DESCRIBE THE LOCATION OF THE ZONES FOR WHICH APPLICATION MAY BE MADE, PROMULGATE CERTAIN REGULATIONS, OWN, ERECT, MAINTAIN, AND OPERATE BUILDINGS IN A FOREIGN‑TRADE ZONE, AND DO ALL THINGS NECESSARY AND PROPER TO ACHIEVE COMPLIANCE WITH THE FOREIGN‑TRADE ZONES ACT.

Ordered for consideration tomorrow.

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

H. 3485 -- Reps. Jefferson, R. Williams, Cobb‑Hunter and Weeks: A BILL TO AMEND SECTION 12‑6‑3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INCOME TAX CREDIT FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO REMOVE A PROVISION ALLOWING THE DEPARTMENT OF ARCHIVES AND HISTORY TO ESTABLISH FEES, TO PROVIDE THAT A TAXPAYER CLAIMING THE CREDIT MUST PAY A FEE TO THE DEPARTMENT OF ARCHIVES AND HISTORY FOR THE STATE HISTORIC PRESERVATION GRANT FUND, AND TO PROVIDE THAT THE DEPARTMENT SHALL DEVELOP AN APPLICATION PROCESS; AND TO AMEND SECTION 12‑6‑5060, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD THE DEPARTMENT OF ARCHIVES AND HISTORY.

Ordered for consideration tomorrow.

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

H. 3695 -- Reps. Calhoon, Huggins, Taylor, Allison, Ballentine, Forrest, Matthews, Spires, Toole, Wooten, Hill and Jones: A BILL TO AMEND SECTION 56‑3‑630, CODE OF LAWS OF SOUTH CAROLINA, 1976. RELATING TO VEHICLES CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES, SO AS TO PROVIDE THAT FOR THE SOLE PURPOSE OF DETERMINING HIGH MILEAGE TAX DEDUCTIONS, MOTORCYCLES AND MOTORCYCLE THREE‑WHEEL VEHICLES SHALL BE CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES.

Ordered for consideration tomorrow.

**Appointments Reported**

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

**Statewide Appointments**

Initial Appointment, Director, South Carolina Department of Natural Resources, serves at the pleasure of the Board

Robert H. Boyles, Jr., 601 Coral Street, Mt. Pleasant, SC 29464 *VICE* Alvin Taylor

Received as information.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2018, and to expire July 1, 2022

2nd Congressional District:

Michael E. Hutchins, 1 Panorama Drive, Lexington, SC 29072

Received as information.

**Motion to Ratify Adopted**

At 2:15 P.M., Senator ALEXANDER made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time Thursday, February 6, 2020.

The motion was adopted and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., February 5, 2020

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 996 -- Senators Alexander, Rankin and Hutto: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC UTILITIES REVIEW COMMITTEE SHALL EXTEND THE SCREENING FOR CANDIDATES FOR THE PUBLIC SERVICE COMMISSION, SEATS 1, 3, 5, AND 7; TO PROVIDE FOR ADVERTISEMENT FOR THESE POSITIONS FOR AN ADDITIONAL TIME PERIOD AND FOR CERTAIN PROCESS REQUIREMENTS; TO ACCEPT APPLICATIONS FROM FEBRUARY 3, 2020, THROUGH NOON ON FEBRUARY 28, 2020; TO PROVIDE WHO THE PUBLIC UTILITIES REVIEW COMMITTEE MAY CONSIDER; AND TO PROVIDE WHEN TRANSCRIPTS FROM PUBLIC HEARINGS MAY BE RELEASED.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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

**AMENDED, INTERRUPTED DEBATE**

S. 419 -- Senators Hembree, Malloy, Turner, Setzler, Sheheen and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO ASTO ENACT THE “SOUTH CAROLINA CAREER OPPORTUNITY AND ACCESS FOR ALL ACT”, TO PROVIDE FOR A STATEWIDE COLLEGE AND CAREER READINESS GOAL, STUDENT EMPOWERMENT, THE CREATION OF THE ZERO TO TWENTY COMMITTEE, ENHANCEMENTS TO WORKFORCE PREPARATION, EDUCATOR DEVELOPMENT AND SATISFACTION, HELP FOR STUDENTS IN UNDERPERFORMING SCHOOLS, LOCAL  
  
  
SCHOOL BOARD ACCOUNTABILITY, AND MISCELLANEOUS PROVISIONS. (Abbr. Title)

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

**Amendment No. 30**

Senators MARTIN and SHEALY proposed the following amendment (WAB\419C249.SM.WAB20), which was adopted:

Amend the bill, as and if amended, SECTION 50. A., pages 67-68, by deleting Section 59-1-425(A) and inserting:

/ “(A) A local school district board of trustees of the State has the authority to establish an annual school calendar for teachers, staff, and students and to establish the opening date for students. The statutory school term is one hundred ~~ninety~~ ninety-five days annually and must consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. ~~However, beginning with the 2007‑2008 school year, the opening date for students must not be before the third Monday in August, except for schools operating on a year‑round modified school calendar.~~ Three days must be used for collegial professional development based upon the educational standards as required by Section 59‑18‑300. The professional development must address, at a minimum, academic achievement standards including strengthening teachers' knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and ~~the remaining~~ five days may be used for teacher planning, academic plans, and parent conferences. The remaining five days may be used for teacher planning but must not include mandatory professional development, meetings, or parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.” /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

**Amendment No. 31**

Senator SENN proposed the following amendment (419R043.SP.SS), which was adopted:

Amend the bill, as and if amended, page 59, SECTION 42, by striking lines 15-28 and inserting:

/ “Section 59-5-63. (A)(1) The State Board of Education shall ~~promulgate regulations directing~~ adopt and revise, as necessary, a policy that each local school board must use to develop and implement a plan that directs the principal of each elementary school having ~~grades one~~ kindergarten through ~~six~~ the fifth grade to provide at least thirty minutes of duty-free time on each regular school day to all full-time teachers who are assigned to a classroom. In addition to elementary schools, a principal shall provide to any teacher who is responsible for instructing a student who is removed from the general education setting for more than forty percent of the day at least thirty minutes of duty-free time on each regular school day ~~to develop and implement a plan which shall equitably apportion lunchroom duty among the teachers so that each teacher has as many duty free lunch periods as may be reasonable in order to insure the safety and welfare of students and staff~~. ~~The implementation of the plan shall not impose additional costs on the school districts. The regulations shall direct that the plan be in effect for the 1984 85 school year.~~ /

Renumber sections to conform.

Amend title to conform.

Senator SENN spoke on the amendment.

The amendment was adopted.

**Amendment No. 32**

Senator MASSEY proposed the following amendment (419R045.SP.ASM), which was adopted:

Amend the bill, as and if amended, PART VI, page 61, line 20, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Section 59-24-10 of the 1976 Code is amended to read:

“Section 59-24-10. ~~Beginning with the school year 1999‑2000, before permanent appointment as a principal for an elementary school, secondary school, or career and technology center, a person must be assessed for instructional leadership and management capabilities by the Leadership Academy of the South Carolina Department of Education. A district may appoint a person on an interim basis until the assessment is completed. A report of this assessment must be forwarded to the district superintendent and board of trustees. The provisions of this section do not apply to a person currently employed as principal on the effective date of this section or to a person hired as principal before the beginning of school year 1999‑2000~~ Any person hired to serve for the first time as a principal or assistant principal must participate and successfully complete an induction program facilitated by the State Department of Education, as provided by regulation. A report of completion must be provided to the district superintendent and the local school board of trustees.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

**Amendment No. 33A**

Senator BENNETT proposed the following amendment (419R063.SP.SB), which was adopted:

Amend the bill, as and if amended, PART IV, Scholarships and Tuition Assistance, page 40 by striking lines 23-40. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT spoke on the amendment.

The amendment was adopted.

**ACTING PRESIDENT PRESIDES**

Senator CLIMER assumed the Chair.

**Amendment No. 34**

Senators HEMBREE, KIMPSON and BENNETT proposed the following amendment (419R041.SP.GH), which was adopted:

Amend the bill, as and if amended, by striking SECTION 45 in its entirety and inserting:

/SECTION 45. Section 59‑19‑350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create ~~a school~~ schools of ~~choice~~ innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two‑thirds affirmative vote of the board for each exemption and the proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.

(2) Nothing in this section permits the local school district board of trustees to relinquish control of the schools created pursuant to item (1).” /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

Senator KIMPSON spoke on the amendment.

Senator FANNING spoke on the amendment.

The amendment was adopted.

**PRESIDENT PRESIDES**

At 3:07 P.M., the PRESIDENT assumed the Chair.

**Amendment No. 35**

Senator HEMBREE proposed the following amendment (419R047.SP.GH), which was carried over:

Amend the bill, as and if amended, by striking PART III and inserting:

/PART III

Read to Succeed Initiative

SECTION \_\_. Section 59-155-180(C)(4) and (5) of the 1976 Code are amended to read:

(4) ~~Beginning in Fiscal Year 2015‑2016, early childhood and elementary education certified classroom teachers, reading interventionists, and those special education teachers who provide learning disability and speech services to students who need to substantially improve their low reading and writing proficiency skills, are required to earn the literacy teacher add‑on endorsement within ten years of their most recent certification by taking at least two courses or six credit hours every five years, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, consistent with existing recertification requirements~~ The board is authorized to approve guidelines on an annual basis for professional development, coursework, certification, and endorsement requirements for teachers of kindergarten through the twelfth grade, including special education teachers, interventionists, reading specialists, and administrators, whose responsibilities, either directly or indirectly, substantially relate to reading and literacy instruction, support, or interventions. The guidelines approved by the board shall also include the issuance of appropriate credit to individuals who have completed an intensive and prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program. Inservice hours earned through professional development ~~for the literacy teacher endorsement~~ must be used for renewal of teaching certificates in all subject areas. ~~The courses and professional development leading to the endorsement must be approved by the State Board of Education and must include foundations, assessment, content area reading and writing, instructional strategies, and an embedded or stand‑alone practicum. Whenever possible these courses shall be offered at a professional development rate which is lower than the certified teacher rate. Early childhood and elementary education certified classroom teachers, reading specialists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their reading and writing proficiency and who already possess their add‑on reading teacher certification can take a content area reading course to obtain their literacy teacher add‑on endorsement. Individuals who possess a literacy teacher add‑on endorsement or who have earned a master’s or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive and prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts to the Office of Educator Licensure to determine if they have completed the coursework required for the literacy teacher add‑on certificate.~~

(5) ~~Beginning in Fiscal Year 2015‑2016, middle and secondary licensed classroom teachers are required to take at least one course or three credit hours, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, to improve reading instruction within five years of their most recent certification. The courses and professional development must be approved by the State Board of Education and include courses and professional development leading to the literacy teacher add‑on endorsement. Coursework and professional development in reading must include a course in reading in the content areas. Whenever possible these courses will be offered at a professional development rate which is lower than the certified teacher rate. Individuals who possess a literacy teacher add‑on endorsement or who have earned a master’s or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive, prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts the to the Office of Educator Licensure to determine if they have completed the coursework or professional development required for the literacy teacher add‑on certificate~~ Early childhood, elementary, and special education teacher candidates seeking their initial certification in South Carolina must earn a passing score on a rigorous test of scientifically research‑based reading instruction and intervention and data‑based decision‑making principles as approved by the board. The objective of this item is to ensure that teacher candidates understand the foundations of reading and are prepared to teach reading to all students. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was carried over.

**Amendment No. 36**

Senator CROMER proposed the following amendment (419R051.SP.RWC), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, page 39, by striking lines 22-23 and inserting:

/B. The provisions of this SECTION do not apply to students in the senior class of the 2023‑2024 School Year. /

Amend the bill further, as and if amended, page 42, by striking lines 21-22 and inserting:

/C. The provisions of this SECTION do not apply to students in the senior class of the 2023‑2024 School Year. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER spoke on the amendment.

The amendment was carried over.

**Amendment No. 39**

Senator SHEALY proposed the following amendment (419R055.SP.KS), which was carried over:

Amend the bill, as and if amended, PART VI, Educator Development, Satisfaction, and Incentives, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59-26-120. All fees and costs associated with a teacher certification or recertification provided for in this chapter shall be paid for by the State Department of Education. The State Department of Education shall include these projected costs in its annual budget request for the annual general appropriations bill.” /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY spoke on the amendment.

The amendment was carried over.

**Amendment No. 41**

Senator FANNING proposed the following amendment (WAB\  
419C049.SM.WAB20), which was adopted:

Amend the bill, as and if amended, Section 59‑5‑10(B)(1), as contained in SECTION 2. A., by deleting the item and inserting:

/ (1) In addition to the members of the board provided in subsection (A), the board shall include four nonvoting advisory members appointed by the Governor to consist of:

(a) two public school students who shall serve a one‑year term, one of whom must attend a school located in a Tier III or Tier IV county as designated in Section 12‑6‑3360, provided that:

(i) a member may not serve if he discontinues attending public school in this State; and

(ii) a vacancy must be filled for the remainder of the term by another public school student; and

(b) two former State Teachers of the Year, each of whom shall serve a two‑year term, provided that a vacancy must be filled for the remainder of the term by another former State Teacher of the Year. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was adopted.

**Amendment No. 42**

Senator FANNING proposed the following amendment (WAB\  
419C220.SM.WAB20), which was carried over:

Amend the bill, as and if amended, Section 59‑5‑10(B)(1)(a), as contained in SECTION 2. A., by deleting the subitem and inserting:

/ (a) two public school students who shall serve a one‑year term, one of whom must be the elected student governor of Boys State of South Carolina and the other must be the elected student governor of Girls State of South Carolina, provided that:

(i) a member may not serve if he discontinues attending public school in this State; and

(ii) a vacancy must be filled for the remainder of the term by another public school student; and /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was carried over.

**Amendment No. 43**

Senator FANNING proposed the following amendment (WAB\  
419C050.SM.WAB20), which was carried over:

Amend the bill, as and if amended, Section 59‑5‑10(B)(1)(a), as contained in SECTION 2. A., by deleting the item and inserting:

/ (a) two public school students who shall serve a one‑year term, one of whom must attend a school located in a Tier III or Tier IV county as designated in Section 12‑6‑3360, provided that:

(i) one student must be in the sixth, seventh, or eighth grade at the time of appointment;

(ii) one student must be in the ninth, tenth, eleventh, or twelfth grade at the time of appointment;

(iii) a member may not serve if he discontinues attending public school in this State; and

(iv) a vacancy must be filled for the remainder of the term by another public school student; /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was carried over.

**ACTING PRESIDENT PRESIDES**

Senator TURNER assumed the Chair.

**Amendment No. 44**

Senator FANNING proposed the following amendment (WAB\  
419C051.SM.WAB20), which was tabled:

Amend the bill, as and if amended, Section 59‑5‑10(B)(1)(b), as contained in SECTION 2. A., by deleting the item and inserting:

/ (b) two public school teachers, each of whom shall serve a three‑year term, provided that:

(i) one teacher must be a member of the South Carolina Education Association;

(ii) one teacher must be a member of the Palmetto State Teacher Association; and

(iii) a vacancy must be filled for the remainder of the term by another former State Teacher of the Year. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

**PRESIDENT PRESIDES**

At 5:05 P.M., the PRESIDENT assumed the Chair.

Senator MASSEY moved to lay the amendment on the table.

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

**Ayes 22; Nays 20**

**AYES**

Alexander Bennett Campbell

Campsen Corbin Gambrell

Goldfinch Gregory Grooms

Hembree Leatherman Loftis

Malloy Massey Peeler

Rice Shealy Sheheen

Turner Verdin Williams

Young

**Total--22**

**NAYS**

Allen Cash Cromer

Davis Fanning Harpootlian

Hutto Jackson Johnson

Kimpson Martin *Matthews, Margie*

McLeod Nicholson Rankin

Reese Sabb Scott

Setzler Talley

**Total--20**

The amendment was laid on the table.

**ACTING PRESIDENT PRESIDES**

Senator TALLEY assumed the Chair.

**Amendment No. 45**

Senator FANNING proposed the following amendment (WAB\  
419C052.SM.WAB20), which was adopted:

Amend the bill, as and if amended, Section 59‑5‑10(B)(2), as contained in SECTION 2. A., by deleting the item and inserting:

/ (2) A person may serve no more than three years as a nonvoting advisory member. A nonvoting advisory member may not serve as a chairman of the board. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was adopted.

**Amendment No. 46**

Senator FANNING proposed the following amendment (WAB\  
419C219.SM.WAB20), which was carried over:

Amend the bill, as and if amended, Section 59‑5‑10(B)(1)(b), as contained in SECTION 2. A., by deleting the subitem and inserting:

/ (b) the immediate past State Teacher of the Year who shall serve a one‑year term, provided that any vacancy in this seat must be filled for the remainder of the term by another former State Teacher of the Year. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was carried over.

**Amendment No. 47**

Senator FANNING proposed the following amendment (WAB\  
419C053.SM.WAB20), which was tabled:

Amend the bill, as and if amended, Section 59‑5‑10(C), as contained in SECTION 2.A., by deleting the subsection.

Amend the bill further, by deleting SECTION 2.B.

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

**Ayes 24; Nays 19**

**AYES**

Alexander Bennett Campbell

Campsen Cash Climer

Corbin Gambrell Goldfinch

Gregory Grooms Hembree

Hutto Leatherman Loftis

Massey Peeler Rankin

Rice Shealy Talley

Turner Verdin Young

**Total--24**

**NAYS**

Allen Cromer Davis

Fanning Harpootlian Jackson

Johnson Kimpson Malloy

Martin *Matthews, Margie* McLeod

Nicholson Reese Sabb

Scott Setzler Sheheen

Williams

**Total--19**

The amendment was laid on the table.

**PRESIDENT PRESIDES**

At 6:27 P.M., the PRESIDENT assumed the Chair.

**Amendment No. 48**

Senator FANNING proposed the following amendment (WAB\  
419C054.SM.WAB20), which was tabled:

Amend bill, as and if amended, Section 59‑5‑10(C), as contained in SECTION 2.A., by deleting the subsection and inserting:

/ (C) In consultation with the Education and Economic Development Act Coordinating Council and the State Superintendent of Education, the board annually shall provide a comprehensive report to the Governor and the General Assembly before December first that specifically identifies key benchmarks within the zero‑to‑twenty education and workforce pipeline for measuring the progress of the Education Oversight Committee’s efforts to meet those benchmarks. The board, through the State Superintendent of Education, shall provide recommendations regarding the future need of having two state agencies, the State Department of Education and the Education Oversight Committee, or whether the State would be better served by dissolving the Education Oversight Committee, thereby streamlining the education bureaucracy in this State.” /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

**Ayes 34; Nays 8**

**AYES**

Alexander Bennett Campbell

Campsen Cash Climer

Corbin Cromer Davis

Gambrell Goldfinch Gregory

Grooms Hembree Hutto

Johnson Kimpson Leatherman

Loftis Malloy Martin

Massey McElveen Nicholson

Peeler Rankin Rice

Setzler Shealy Talley

Turner Verdin Williams

Young

**Total--34**

**NAYS**

Allen Fanning Jackson

*Matthews, Margie* McLeod Reese

Sabb Scott

**Total--8**

The amendment was laid on the table.

**Amendment No. 49**

Senator FANNING proposed the following amendment (WAB\  
419C055.SM.WAB20), which was adopted:

Amend the bill, as and if amended, Section 59‑5‑10(C), as contained in SECTION 2.A., by deleting the subsection and inserting:

/ (C) In consultation with the Education and Economic Development Act Coordinating Council and the State Superintendent of Education, the board shall provide a comprehensive report to the Governor and the General Assembly before December first of every even‑numbered year that specifically identifies key benchmarks within the zero‑to‑twenty education and workforce pipeline for measuring the progress of state agencies’ and other publicly funded entities’ efforts to meet those benchmarks. The board, through the State Superintendent of Education, shall provide recommendations regarding ways that state and local efforts can be improved, ways that collaboration and cooperation among state and local agencies and resources can be measurably improved, and efforts underway or being considered in other states that address the noted areas of concern. The State Superintendent of  
  
Education shall also recommend any legislation he considers necessary.”/

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was adopted.

**Amendment No. 50**

Senator FANNING proposed the following amendment (WAB\  
419C148.SM.WAB20), which was adopted:

Amend the bill, as and if amended, SECTION 3.C., by deleting SECTION 3.C. and inserting:

/ C. Section 59‑29‑250(C) takes effect August 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was adopted.

**Amendment No. 54**

Senators DAVIS and YOUNG proposed the following amendment (WAB\419C251.SM.WAB20), which was adopted:

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

/ SECTION \_\_. Chapter 20, Title 59 of the 1976 Code is amended by adding:

“Section 59‑20‑85. (A) The State Department of Education shall annually publish reports detailing the revenues each school district receives from state, federal, and local sources. The report shall include the top ten statewide revenues sources for each such revenue category. In addition to this revenue information, the department shall publish the amount and percentage each school district expends on classroom instruction. For purposes of this section, ‘classroom instruction’ expenditures must be determined using the most recent accounting categories promulgated by the National Center for Education Statistics.

(B) Annually, the Office of Revenue and Fiscal Affairs, in conjunction with the department, shall publish state, federal, and local revenue sources and per‑pupil comparisons for all fifty states. This per‑pupil funding must be referred to as ‘total per‑pupil funding’ for PK‑12 public education.

(C) Before the first day of session annually, the State Department of Education shall provide the report in subsection (A) and the Office of Revenue and Fiscal Affairs shall provide the report in subsection (B) to the President of the Senate and the Speaker of the House of Representatives, and they also shall publish these reports on their respective websites.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke on the amendment.

The amendment was adopted.

**Amendment No. 55**

Senator MARTIN proposed the following amendment (419R009.SP.SRM), which was carried over:

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

/SECTION \_\_. Section 59-149-10 of the 1976 Code is amended by adding an appropriately numbered new subsection to read:

“( ) Eligible resident students enrolled in a particular vocational training program at a two-year public or independent institution may not receive scholarship funds exceeding one hundred fifty percent of the published program length.” /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

The amendment was carried over.

**Amendment No. 57**

Senator SCOTT proposed the following amendment (419R061.SP.JS), which was adopted:

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

/SECTION \_\_. Section 59-26-40 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“( ) For the purposes of this subsection, coaching is not an extracurricular activity. A school district may not assign an extracurricular activity requirement to classroom teachers employed by an induction, annual contract, or continuing contract that is not a natural extension of the scope of their classroom instruction.” /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT spoke on the amendment.

The amendment was adopted.

**Amendment No. 58**

Senator CROMER proposed the following amendment (419R064.SP.RWC), which was adopted:

Amend the bill, as and if amended, page 39, by striking lines 22-23 and inserting:

/B. The provisions of this SECTION do not apply to any senior class student until the 2024‑2025 School Year. /

Amend the bill further, as and if amended, page 42, by striking lines 21-22 and inserting:

/C. The provisions of this SECTION do not apply to any senior class student until the 2024‑2025 School Year. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER spoke on the amendment.

The amendment was adopted.

**Amendment No. 59**

Senator MARTIN proposed the following amendment (419R060.SP.SRM), which was carried over:

Amend the bill, as and if amended, by striking SECTION 49, relating to school start date, and inserting:

/SECTION 49. Section 59-1-425(A) of the 1976 Code is amended to read:

“Section 59‑1‑425. (A) A local school district board of trustees of the State has the authority to establish an annual school calendar for teachers, staff, and students; to establish the opening date for students; and to establish the school term for the district. ~~The statutory school term is one hundred ninety days annually and must consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. However, beginning with the 2007‑2008 school year, the opening date for students must not be before the third Monday in August, except for schools operating on a year‑round modified school calendar.~~ Three days of the school term must be used for collegial professional development based upon the educational standards as required by Section 59‑18‑300. The professional development must address, at a minimum, academic achievement standards including strengthening teachers' knowledge in their content area, teaching techniques, and assessment. No more than two days of the school term may be used for preparation of opening of schools and the remaining five days of the school term may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.” /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

The amendment was carried over.

**RECESS**

At 7:40 P.M., on motion of Senator FANNING, the Senate receded from business not to exceed 15 minutes.

At 8:06 P.M., the Senate resumed.

**Amendment No. 60**

Senator SETZLER proposed the following amendment (419NGS1), which was adopted:

Amend the bill, as and if amended, page 20, by striking lines 8-16 and inserting the following:

/ “(a) document the reading and writing assessment and instruction planned for all PK‑12 students and the interventions in prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade‑level texts. Supplemental instruction ~~shall~~ must be provided by teachers who have a literacy teacher add‑on ~~endorsement~~ certification and offered during the school day and, as appropriate, before or after school in book clubs, through a summer reading camp, or ~~both~~ through any combination of these strategies;”

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

**Amendment No. 61**

Senator SETZLER proposed the following amendment (WAB\  
419C254.SM.WAB20), which was adopted:

Amend the bill, as and if amended, SECTION 18, page 26, Section 59‑155‑160(B), by adding an appropriately numbered item to read:

/ ( ) When a student is granted a waiver of retention because the child cannot read at grade level as the result of a parent appeal made pursuant to item (4), the academic performance of the student in fourth grade may not be a factor in the performance evaluation of his fourth grade teachers or any other accountability measures of the teachers. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

**Amendment No. 62**

Senator SETZLER proposed the following amendment (WAB\  
419C255.SM.WAB20), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 18, Section 59‑155‑160(B)(4), page 26, by deleting item (4) and inserting:

/ (4) A parent or legal guardian may appeal the decision to retain a student who cannot read at grade level to the district superintendent if there is a compelling reason why the student should not be retained. A district shall provide parents with a notification of retention because the child cannot read at grade level and a description of the parent’s right to appeal by a letter sent certified mail, return receipt requested; electronic mail; and telephone call. The district shall document its attempts to comply with all three of these notification requirements and of the parent’s responses to each. A parent or legal guardian must appeal, in writing, within two weeks after the notification of retention. The letter must be addressed to the district superintendent and specify the reasons why the student should not be retained. The district superintendent shall render a decision and provide copies to the parent or legal guardian and the principal. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

The amendment was carried over.

**Amendment No. 64**

Senator SETZLER proposed the following amendment (WAB\  
419C256.SM.WAB20), which was adopted:

Amend the bill, as and if amended, SECTION 18. A., Section 59‑155‑160(B)(5), page 26, by deleting item (5) and inserting:

/ (5)(a) Each school district superintendent shall annually submit a report including the following information at the school and the district level, for the academic year just completed, to its district board and to the department:

(i) the total number of retention exemptions granted pursuant to this section;

(ii) the number of appeals made and the number of appeals granted pursuant to this section;

(iii) the academic outcome of students pursuant to subsubitems (i) and (ii), including, but not limited to, state English/language arts summative assessment results in grades four through eight; and

(iv) the information in subsubitems (i) through (iii) for the current academic year and the two immediately preceding academic years.

(b) The annual reports required in subitem (a) must be posted in prominent locations on the internet websites of the State Department of Education and the respective school districts. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

**Amendment No. 66A**

Senator SCOTT proposed the following amendment (419R070.SP.JS), which was adopted:

Amend the bill, as and if amended, PART VII, Local School Boards, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. A. Article 1, Chapter 39, Title 59 of the 1976 Code is amended by adding:

“Section 59-39-165. Every public school district may establish a mandatory program for each school in the district, which must address issues such as bullying, personal respect, respect for others, principles of harmonious coexistence, discipline, responsibility, and honor.”

B. This SECTION takes effect on August 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT spoke on the amendment.

Senator MARTIN moved to lay the amendment on the table.

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

**Ayes 7; Nays 34**

**AYES**

Cash Climer Corbin

Martin Talley Turner

Verdin

**Total--7**

**NAYS**

Alexander Allen Bennett

Campbell Campsen Cromer

Davis Fanning Gambrell

Goldfinch Gregory Grooms

Hembree Jackson Johnson

Kimpson Leatherman Loftis

Malloy Massey *Matthews, Margie*

McElveen McLeod Nicholson

Peeler Rankin Reese

Rice Sabb Scott

Setzler Shealy Williams

Young

**Total--34**

The Senate refused to table the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

**Amendment No. 62A**

Senator SETZLER proposed the following amendment (WAB\  
419C258.SM.WAB20), which was adopted:

Amend the bill, as and if amended, SECTION 18, Section 59‑155‑160(B)(4), page 26, by deleting item (4) and inserting:

/ (4) A parent or legal guardian may appeal the decision to retain a student who cannot read at grade level to the district superintendent if there is a compelling reason why the student should not be retained. A district shall provide parents with a notification of retention because the child cannot read at grade level and a description of the parent’s right to appeal by a letter sent certified mail, return receipt requested; electronic mail; and telephone call. The district shall document its attempts to comply with all three of these notification requirements. A parent or legal guardian must appeal, in writing, within two weeks after the notification of retention. The letter must be addressed to the district superintendent and specify the reasons why the student should not be retained. The district superintendent shall render a decision and provide copies to the parent or legal guardian and the principal. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

**Amendment No. 67**

Senators MASSEY, SHEALY, SETZLER and CASH proposed the following amendment (419R059.SP.ASM), which was adopted:

Amend the bill, as and if amended, PART VI, Educator Development, Satisfaction, and Incentives, by adding appropriately numbered new SECTIONS to read:

/SECTION \_\_. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59-26-125. The State Department of Education shall pay for fees and costs associated with a first-time teacher certification as provided in Section 59-26-30 not to exceed five hundred dollars.”

SECTION \_\_. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59-25-60. (A) Based on a public decision of the school board, all certified public school teachers, certified special school classroom teachers, certified media specialists, certified guidance counselors, and career specialists who are employed by a school district or a charter school, and lead teachers employed in a publicly funded, full-day, four-year-old kindergarten classroom approved by the South Carolina First Steps to School Readiness, may receive a reimbursement of five hundred fifty dollars each school year to offset expenses incurred by them for teaching supplies and materials.

(B) The State Department of Education shall disburse funds to school districts by July fifteenth based on the last reconciled professional certified staff listing from the previous year. With the remaining funds for this program, any deviation in the professional certified staff and actual teacher count shall be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of a school district and no later than May fifteenth annually, the district shall notify all individuals entitled to receive these funds of the manner in which the funds will be disbursed. Funds may be disbursed to teachers by check in a manner separate and distinct from their payroll checks on the first day that teachers, by contract, are required to be in attendance at school for the current contract year, or the funds may be disbursed to teachers by direct deposit as long as the funds are handled in a manner separate and distinct from their payroll checks. The State shall not consider this reimbursement to be taxable income. Special schools include the Governor’s School for Science and Math, the Governor’s School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice, and Palmetto Unified School District.

(C) Funds distributed to school districts or allocated to schools must not supplant existing supply money paid to teachers from other sources. If a school district requires receipts for tax purposes, then the receipts may not be required before December thirty-first. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the district that they have received the allocation for the purchase of teaching supplies or materials and that they have purchased or will purchase supplies or materials during the fiscal year for the amount of the allocation. Districts shall not have an audit exception related to the non-retention of receipts in any instances in which a similar instrument is utilized. Any district requiring receipts must notify any teacher who has not submitted receipts between November twenty-fifth and December sixth that he must submit receipts to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

**Amendment No. 68**

Senator FANNING proposed the following amendment (WAB\  
419C056.SM.WAB20), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 3.

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

The amendment was adopted.

**Amendment No. 74**

Senators BENNETT and CLIMER proposed the following amendment (419R069.SP.SMB), which was carried over:

Amend the bill, as and if amended, PART IX, Miscellaneous, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Section 59-18-900(D) of the 1976 Code is amended to read:

(D) The comprehensive report card must include a comprehensive set of performance indicators with information on comparisons, trends, needs, and performance over time which is helpful to parents and the public in evaluating the school. In addition, the comprehensive report card must include indicators that meet federal law requirements. Special efforts are to be made to ensure that the information contained in the report card is provided in an easily understood manner and a reader‑friendly format. This information should also provide a context for the performance of the school. Where appropriate, the data should yield disaggregated results to schools and districts in planning for improvement. The report card should include information in such areas as programs and curriculum, school leadership, community and parent support, faculty qualifications, evaluations of the school by parents, teachers, and students. In addition, the report card must contain other criteria including, but not limited to, information on promotion and retention ratios, ~~disciplinary climate,~~ dropout ratios, dropout reduction data, dropout retention data, access to technology, student and teacher ratios, and attendance data. Disciplinary climate data must be included in the information contained within the report card, but it cannot be used as an indicator used to measure a school’s performance.” /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT spoke on the amendment.

The amendment was carried over.

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

**THIRD READING BILL**

S. 988 -- Senator Sheheen: A BILL TO AMEND SECTIONS 1 AND 2 OF ACT 172 OF 1995, RELATING TO THE KERSHAW COUNTY TRANSPORTATION COMMITTEE, TO PROVIDE THAT EACH MEMBER OF THE KERSHAW COUNTY TRANSPORTATION COMMITTEE SHALL BE ALLOWED AND PAID FROM KERSHAW COUNTY “C” FUND REVENUES NINETY DOLLARS FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, TO PROVIDE THAT THE CHAIRMAN SHALL BE ALLOWED AND PAID FROM KERSHAW COUNTY “C” FUND REVENUES ONE HUNDRED SEVENTY‑FIVE DOLLARS FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, AND TO PROVIDE THAT THE CHAIRMAN MAY NOT APPROVE VOUCHERS IN ANY SINGLE FISCAL YEAR WHICH VOUCHERS AUTHORIZE PAYMENT FOR MORE THAN EIGHTEEN MEETINGS PER FISCAL YEAR FOR EACH MEMBER OF THE COMMITTEE.

On motion of Senator SHEHEEN.

**ADOPTED**

S. 832 -- Senator J. Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH GORDON DRIVE TO THE BOWMAN TOWN LIMIT “COUNCILMAN NATHANIEL ‘NAY’ GAINES MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

On motion of Senator MATTHEWS, with unanimous consent, the Resolution was adopted, ordered sent to the House.

**THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**Message from the House**

Columbia, S.C., February 5, 2020

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑3‑115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER‑CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

Very respectfully,

Speaker of the House

Received as information.

**H. 3357 -- REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑3‑115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER‑CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

On motion of Senator CAMPBELL, with unanimous consent, the Report of the Committee ofConference was taken up for immediate consideration.

Senator CAMPBELL spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cash

Climer Corbin Cromer

Davis Fanning Gambrell

Goldfinch Gregory Grooms

Harpootlian Hembree Hutto

Johnson Kimpson Leatherman

Loftis Malloy Martin

Massey *Matthews, John Matthews, Margie*

McLeod Nicholson Peeler

Rankin Reese Rice

Sabb Scott Senn

Setzler Shealy Sheheen

Talley Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

The Committee of Conference Committee was adopted as follows:

**H. 3357 -- Conference Report**

The General Assembly, Columbia, S.C., January 30, 2020

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑3‑115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER‑CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer’s Version 5/7/19 -S.)

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

/ SECTION 1. Article 3, Title 56 of the 1976 Code is amended by adding:

“Section 56‑3‑115. The Department of Motor Vehicles may add a notation to a private passenger‑carrying motor vehicle registration to indicate that the driver may be deaf or hard of hearing. The application for this special motor vehicle registration notation must include an original certificate from a licensed physician, as defined in Section 40‑47‑5, or licensed audiologist, as defined in Section 40‑67‑220, that certifies that the applicant has a permanent, uncorrectable hearing loss of forty decibels or more in one or both ears. The ‘deaf or hard of hearing’ notation would only appear when a law enforcement check is run on the vehicle’s license plate through the department’s online interface with law enforcement to alert the officer that the driver may be deaf or hard of hearing.”

SECTION 2. This act takes effect one year after approval by the Governor. /

Amend title to conform.

/s/Sen. Paul G. Campbell Jr. /s/Rep. Steven Wayne Long

/s/Sen. Kevin L. Johnson /s/Rep. Christopher Sloan Wooten

/s/Sen. David Wesley “Wes” Climer /s/Rep. Wendy C. Brawley

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**LOCAL APPOINTMENTS**

**Confirmations**

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

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

Steven C. Pop, 47 Deer Moss Court, Pawley's Island, SC 29585-8170

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

John A. Love, 299 Southgate Court, Pawley's Island, SC 29585

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Leigh Johnson Snelgrove of North Charleston, S.C. Leigh was a graduate of Aiken High school. She earned a BA in Biology and German from Wofford College and a MAT from the University of South Carolina. She taught at White Knoll, A.C. Flora and the Academic Magnet High School in North Charleston. Leigh was a loving daughter and sister and was a dedicated teacher who will be dearly missed.

**ADJOURNMENT**

At 9:34 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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