**Wednesday, March 21, 2012**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 2:00 P.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:

We all remember Moses when he came to Horeb:

“There the angel of the Lord appeared to him in a flame of fire out of a bush; he looked, and the bush was blazing, yet it was not consumed.” (Exodus 3:2)

Let us pray:

O Lord, how we yearn at times for clear insight, for some bold revelation, for a “burning bush” to confirm the rightness of our decisions. Nonetheless, dear God, though no bush breaks into flames here on the floor of the Senate, we still count on You to be with each of these Senators and their staff members as they lead us forward through this third month of the Legislative Year. May they all act wisely and well on behalf of the people of South Carolina. And may they feel the power of Your blessing every step of the way. In Your Holy Name we pray, Lord.

Amen.

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

**Doctor of the Day**

Senator LOURIE introduced Dr. Patricia Witherspoon of Columbia, S.C., Doctor of the Day, along with 4th year medical student, Talia Crawford.

**Leave of Absence**

On motion of Senator FAIR, at 2:05 P.M., Senator THOMAS was granted a leave of absence for today.

**Leave of Absence**

At 2:30 P.M., Senator ROSE requested a leave of absence until 4:30 P.M.

**Expression of Personal Interest**

Senator LARRY MARTIN rose for an Expression of Personal Interest.

**CO-SPONSOR ADDED**

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

S. 1124 Sen. Knotts

**RECALLED AND COMMITTED**

H. 3127 -- Reps. Rutherford, G.R. Smith, Clyburn, Weeks, Whipper and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑21‑925 SO AS TO PROVIDE THAT A LIMITED PARDON MAY BE GRANTED TO A PERSON WHO HAS BEEN CONVICTED OF A NONVIOLENT FELONY OFFENSE THAT WOULD ALLOW HIM TO CARRY A FIREARM USED FOR HUNTING TO AND FROM HIS HUNTING DESTINATION AND USE IT WHILE HUNTING.

Senator FAIR asked unanimous consent to make a motion to recall the Bill from the Committee on Corrections and Penology.

The Bill was recalled from the Committee on Corrections and Penology.

On motion of Senator FAIR, the Bill was committed to the Committee on Judiciary.

**RECALLED**

H. 4797 -- Rep. Norman: A BILL TO AMEND SECTION 5‑31‑230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MUNICIPALITIES IN WHICH THERE ARE NO BOARD OF COMMISSIONERS OF PUBLIC WORKS, SO AS TO INCLUDE THE CITY OF TEGA CAY.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

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

**RECALLED AND COMMITTED**

S. 1225 -- Senator L. Martin: A BILL TO AMEND SECTION 40‑59‑840 OF THE 1976 CODE, RELATING TO NOTICE OF CLAIM ON A CONTRACTOR, TO PROVIDE THAT A CLAIMANT MUST SERVE WRITTEN NOTICE OF A CLAIM ON THE CONTRACTOR NO LATER THAN NINETY DAYS BEFORE EITHER FILING THE ACTION OR BEING JOINED TO, ADDED AS A CLASS MEMBER TO, OR OTHERWISE MADE A PARTY TO AN EXISTING ACTION, AND TO PROVIDE THAT THE NOTICE OF CLAIM MUST BE PROVIDED BY THE CLAIMANT INDIVIDUALLY AND MAY NOT BE PROVIDED IN A REPRESENTATIVE CAPACITY.

Senator MASSEY asked unanimous consent to make a motion to recall the Bill from the Committee on Labor, Commerce and Industry.

The Bill was recalled from the Committee on Labor, Commerce and Industry.

On motion of Senator MASSEY, the Bill was committed to the Committee on Judiciary.

**SECOND READING RECONSIDERED**

**RETURNED TO THE SECOND READING CALENDAR**

**CARRIED OVER**

H. 3059 -- Reps. Merrill, Stavrinakis, J.E. Smith and Whipper: A BILL TO AMEND SECTION 12‑6‑3376, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INCOME TAX CREDIT FOR PLUG‑IN HYBRID VEHICLES, SO AS TO REVISE THE DEFINITION OF “PLUG‑IN HYBRID VEHICLE”, TO RAISE THE AGGREGATE AMOUNT OF THE CREDIT AVAILABLE EACH FISCAL YEAR AND DELETE ITS EXPIRATION DATE, AND TO PROVIDE THAT THE CREDIT MUST BE ALLOCATED TO ELIGIBLE CLAIMANTS DURING A FISCAL YEAR ON A FIRST‑COME, FIRST‑SERVE BASIS.

Having voted on the prevailing side, Senator CAMPBELL moved to reconsider the vote whereby second reading of the Bill failed.

The motion to reconsider the vote was adopted.

**Recorded Vote**

Senator SHANE MARTIN desired to be recorded as voting against the motion to reconsider the motion whereby second reading of the Bill failed.

The Bill was returned to the Second Reading Calendar.

On motion of Senator CAMPBELL, the Bill was carried over.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1357 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-250 SO AS TO REQUIRE THE USE OF TWO-WAY CLOSED CIRCUIT TELEVISION OR VIDEOCONFERENCING SYSTEMS OF PERSONS CONFINED IN A LOCAL OR STATE CORRECTIONAL FACILITY OR A JUVENILE DETENTION FACILITY IN CERTAIN COURT PROCEEDINGS.

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Senator FAIR spoke on the Bill.

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

S. 1358 -- Senators Courson, Land, Campbell and L. Martin: A SENATE RESOLUTION TO URGE THE CONGRESS OF THE UNITED STATES AND THE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR AN ADDITIONAL FOUR YEARS BECAUSE FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1359 -- Senators Courson, Land, Campbell and L. Martin: A CONCURRENT RESOLUTION TO URGE THE CONGRESS OF THE UNITED STATES AND THE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR AN ADDITIONAL FOUR YEARS BECAUSE FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

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The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1360 -- Senator Massey: A BILL TO AMEND ARTICLE 1, CHAPTER 9, TITLE 4 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING COUNTY GOVERNMENT, BY ADDING SECTION 4-9-200 TO PROVIDE THAT THE GOVERNING BODY OF A COUNTY MAY IMPOSE TERM LIMITS ON THE MEMBERS OF THE GOVERNING BODY, AND TO PROVIDE FOR THE PROCEDURE FOR IMPOSING THE TERM LIMITS.

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

S. 1361 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE USE OF REFORMED MILITARY COMMISSIONS AT THE TRIAL OF ALLEGED TERRORISTS WHO WERE INVOLVED WITH ATTACKING INNOCENT AMERICANS, INTENTIONALLY CAUSING SERIOUS BODILY INJURIES, MURDER IN VIOLATION OF THE LAW OF WAR, AND PROVIDING MATERIAL SUPPORT OF TERRORISM.

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The Senate Resolution was introduced and referred to the General Committee.

S. 1362 -- Senator Ford: A BILL TO AMEND SECTION 59-127-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO PROVIDE THAT THE CURRENT TERM OF ANY PRESENT MEMBER OF THE BOARD ELECTED BY THE GENERAL ASSEMBLY WHO HAS SERVED MORE THAN ONE FULL FOUR-YEAR TERM ON THE BOARD IS TERMINATED ON THE EFFECTIVE DATE OF THIS PROVISION AND HIS SUCCESSOR MUST BE SELECTED IN THE MANNER PRESCRIBED BY LAW, AND TO PROVIDE THAT ANY PRESENT MEMBER OF THE BOARD ELECTED BY THE GENERAL ASSEMBLY WHOSE CURRENT TERM IS CURTAILED BY THIS PROVISION IS ELIGIBLE FOR REELECTION TO THE BOARD.

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

S. 1363 -- Senator Scott: A SENATE RESOLUTION TO COMMEND BENEDICT COLLEGE, THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, THE FEDERAL HIGHWAY ADMINISTRATION SOUTH CAROLINA DIVISION, THE SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, AND THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION FOR PARTNERING TO HOST THE “2012 THIRD ANNUAL TRANSPORTATION SUMMIT: THE IMPORTANCE OF TRANSPORTATION SAFETY AND INNOVATION” ON MARCH 23, 2012, AND TO ENCOURAGE OTHER SOUTH CAROLINA COLLEGES AND UNIVERSITIES TO COOPERATE WITH LIKE-MINDED ORGANIZATIONS AND AGENCIES TO HEIGHTEN PUBLIC AWARENESS AND EDUCATION CONCERNING THE ISSUE OF TRANSPORTATION SAFETY AND INNOVATIVE LEGISLATION.

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The Senate Resolution was adopted.

H. 4603 -- Reps. Rutherford and McCoy: A BILL TO AMEND SECTION 17-22-50, AS AMENDED, AND SECTION 17-22-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY NOT BE CONSIDERED FOR PARTICIPATION IN A PRETRIAL INTERVENTION PROGRAM AND PROGRAM ELIGIBILITY, RESPECTIVELY, BOTH SO AS TO ALLOW A PERSON TO PARTICIPATE IN A PROGRAM MORE THAN ONCE WITH THE SOLICITOR’S CONSENT.

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

H. 4680 -- Rep. Bannister: A BILL TO AMEND SECTION 17-25-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REDUCTION OF A SENTENCE WHEN A DEFENDANT PROVIDES SUBSTANTIAL ASSISTANCE IN INVESTIGATING OR PROSECUTING ANOTHER PERSON, SO AS TO DELETE THE REQUIREMENT THAT THE ASSISTANCE BE PROVIDED AFTER SENTENCING AND CLARIFY THAT A DEFENDANT'S SENTENCE MAY BE REDUCED BELOW THE MINIMUM TERM OF IMPRISONMENT PROVIDED BY LAW UNDER CERTAIN CIRCUMSTANCES.

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

H. 4966 -- Reps. Corbin, Loftis and Barfield: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF UNITED STATES HIGHWAYS 25 AND 276 IN GREENVILLE COUNTY “HOVIE LISTER INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “HOVIE LISTER INTERCHANGE”.

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

H. 4984 -- Reps. Pitts, White, Funderburk and Harrell: A CONCURRENT RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO ENACT WITHOUT DELAY H.R. 3061, THE “FLEXIBILITY IN REBUILDING AMERICAN FISHERIES ACT OF 2011” WHICH, AMONG OTHER PROVISIONS, EXTENDS THE TIME PERIOD FOR REBUILDING CERTAIN OVERFISHED FISHERIES, REQUIRES BETTER INFORMATION TO BE CONSIDERED IN THE MANAGEMENT OF FEDERAL FISHERIES.

The Concurrent Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

H. 5037 -- Reps. Harrell, Bannister, Hardwick, Harrison, Howard, Lucas, Ott, Owens, Sandifer and White: A CONCURRENT RESOLUTION TO URGE THE CONGRESS OF THE UNITED STATES AND THE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR AN ADDITIONAL FOUR YEARS BECAUSE FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

**REPORTS OF STANDING COMMITTEES**

**Invitations Accepted**

The following invitations were polled favorably from the Invitations Committee and the members voting as follows:

**Poll of the Invitations Committee**

**Polled 11; Ayes 11; Nays 0; Not Voting 0**

**AYES**

Alexander Campsen Cromer

Elliott Ford Knotts

Malloy McGill O’Dell

Reese Verdin

**Total--11**

**NAYS**

**Total--0**

Tuesday, April 3, 2012 - 6:00 p.m. - 8:00 p.m.

Members of the Senate and Staff, Washington Night Reception, Columbia Marriott, by the SC CHAMBER OF COMMERCE

Tuesday, April 17, 2012 - 6:30 p.m. - 10:00 p.m.

Members of the Senate, BBQ Dinner, Americraft Cantey Building, SC State Fairgrounds, CITADEL ALUMNI ASSOCIATION

Wednesday, April 18, 2012 - 8:00 a.m. - 10:00 a.m.

Members of the Senate, Breakfast, Room 112 of the Blatt Building, by the SC GOVERNOR’S SCHOOL FOR SCIENCE AND MATHEMATICS FOUNDATION

Wednesday, April 18, 2012 - 11:30 a.m. - 2:00 p.m.

Members of the Senate and Staff, “Taste of SC” Luncheon, State House Grounds, by the SC HOSPITALITY DAY ASSOCIATION

Wednesday, April 18, 2012 - 6:00 p.m. - 7:00 p.m.

Members of the Senate and Staff, Reception, Columbia Metropolitan Convention Center, AFFORDABLE HOUSING COALITION OF SC

Thursday, April 19, 2012 - 8:00 a.m. - 10:00 a.m.

Members of the Senate and Staff, Breakfast, Room 112 of the Blatt Building, by the SC ACADEMY OF PHYSICIAN assistants

Tuesday, April 24, 2012 - 6:00 p.m. - 8:00 p.m.

Members of the Senate, Reception, Clarion Hotel Downtown, by the SC ASSOCIATION OF MUNICIPAL POWER SYSTEMS

Tuesday, April 24, 2012 - 6:00 p.m. - 8:00 p.m.

Members of the Senate and Staff, Reception, Historic Horseshoe, USC Campus, by the UNIVERSITY OF SOUTH CAROLINA

Wednesday, April 25, 2012 - 8:00 a.m. - 10:00 a.m.

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the PIEDMONT MUNICIPAL ASSOCIATION

Wednesday, April 25, 2012 - 12:00 - 2:00 p.m.

Members of the Senate, Luncheon, Room 112 Blatt Building, by the SC CHAPTER AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS

Wednesday, April 25, 2012 - 6:00 p.m. - 9:00 p.m.

Members of the Senate and Staff, Reception, Tom’s Quarters, 100 Whitehouse Rd., by the SC AREA ASSOCIATION OF AIR MEDICAL SERVICES

Thursday, April 26, 2012 - 8:00 a.m. - 10:00 a.m.

Members of the Senate, Breakfast, Room 112 of the Blatt Building, by the SC ALPHA KAPPA ALPHA SORORITY CONNECTION COMMITTEE

Senator HUTTO from the Committee on Judiciary submitted a favorable report on:

S. 163 -- Senators Shoopman, Rose, Verdin and Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑95 SO AS TO CREATE THE OFFENSES OF UNLAWFULLY PROVIDING BEER OR WINE TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY‑ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 61‑6‑4083 SO AS TO CREATE THE OFFENSES OF UNLAWFULLY PROVIDING ALCOHOLIC LIQUORS TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY‑ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES.

Ordered for consideration tomorrow.

Senator SHOOPMAN from the Committee on Judiciary submitted a majority favorable with amendment and Senator HUTTO a minority unfavorable report on:

S. 212 -- Senators McConnell, Shoopman, Campsen, Peeler, Campbell, Rose and Ford: A BILL TO AMEND SECTION 8-13-700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN AND DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST, SO AS TO REQUIRE THAT THE MEMBER BE EXCUSED FROM ALL VOTES INVOLVING A POTENTIAL CONFLICT ON THE FLOOR OF THE RESPECTIVE HOUSE, DURING COMMITTEE PROCEEDINGS OR SUBCOMMITTEE PROCEEDINGS, AND TO PROHIBIT THE MEMBER FROM LISTING HIS RECUSAL ON THE VOTE IN THE JOURNAL IF THE MEMBER PARTICIPATED IN ANY MANNER ON THE MATTER.

Ordered for consideration tomorrow.

Senator HUTTO from the Committee on Judiciary submitted a favorable with amendment report on:

S. 746 -- Senators Lourie, Hutto, Fair, L. Martin, Rose, O’Dell, Ford and Cromer: A BILL TO AMEND SECTION 56‑1‑286, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE TO A PERSON UNDER THE AGE OF TWENTY‑ONE FOR HAVING AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO REVISE THE PENALTIES TO INCLUDE REQUIRING AN OFFENDER WHO OPERATES A VEHICLE TO HAVE AN IGNITION INTERLOCK DEVICE INSTALLED ON THE VEHICLE; TO AMEND SECTION 56‑1‑400, AS AMENDED, RELATING TO THE SUSPENSION OF A LICENSE, A LICENSE RENEWAL OR ITS RETURN, AND ISSUANCE OF A LICENSE THAT RESTRICTS THE DRIVER TO ONLY OPERATING A VEHICLE WITH AN IGNITION INTERLOCK DEVICE INSTALLED, SO AS TO REVISE THE DRIVER’S LICENSE SUSPENSION PERIOD FOR A PERSON WHO CHOOSES TO OR NOT TO HAVE AN INTERLOCK DEVICE INSTALLED ON HIS VEHICLE, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN INDIVIDUALS WHO CHOOSE NOT TO HAVE AN INTERLOCK DEVICE INSTALLED ON THEIR VEHICLES AFTER BEING CONVICTED OF CERTAIN DRIVING OFFENSES, AND TO REVISE THE PROCEDURE FOR A PERSON TO OBTAIN A LICENSE WHO DOES NOT OWN A VEHICLE; TO AMEND SECTION 56‑1‑1320, RELATING TO THE ISSUANCE OF A PROVISIONAL DRIVER’S LICENSE, SO AS TO PROVIDE THAT THE PROVISIONAL LICENSE MAY BE ISSUED AS LONG AS THE VEHICLE AUTHORIZED TO BE OPERATED HAS HAD AN IGNITION INTERLOCK DEVICE INSTALLED; TO AMEND SECTION 56‑5‑2941, AS AMENDED, RELATING TO PENALTIES THAT MAY BE IMPOSED FOR DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO PROVIDE THE LENGTH OF TIME AN INTERLOCK DEVICE MUST BE AFFIXED TO A VEHICLE FOR A FIRST OFFENSE, TO REVISE THE PENALTY FOR AN OFFENDER WHO HAS ACCUMULATED FOUR POINTS UNDER THE INTERLOCK DEVICE POINT SYSTEM, TO PROVIDE FOR THE USE OF FUNDS REMITTED TO THE INTERLOCK DEVICE FUND, TO REVISE THE FEES THAT MUST BE COLLECTED AND REMITTED TO THE INTERLOCK DEVICE FUND, TO REVISE THE FREQUENCY OF TIME IN WHICH AN OFFENDER MUST HAVE AN INTERLOCK DEVICE INSPECTED, AND TO PROVIDE THAT AN INTERLOCK DEVICE MUST CAPTURE A PHOTOGRAPHIC IMAGE OF A DRIVER AS HE OPERATES THE DEVICE; TO AMEND SECTION 56‑5‑2942, AS AMENDED, RELATING TO THE IMMOBILIZATION OF A PERSON’S VEHICLE UPON HIS CONVICTION OF AN ALCOHOL‑RELATED DRIVING OFFENSE, SO AS TO PROVIDE THAT AS LONG AS A PERSON HOLDS A VALID IGNITION INTERLOCK LICENSE, HE IS NOT REQUIRED TO SURRENDER HIS LICENSE PLATES AND VEHICLE REGISTRATIONS; TO AMEND SECTION 56‑5‑2947, AS AMENDED, RELATING TO THE OFFENSE OF CHILD ENDANGERMENT, SO AS TO REVISE THE DATE WHEN A PERSON MAY ENROLL IN AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM AND BE ISSUED A PROVISIONAL DRIVER’S LICENSE; TO AMEND SECTION 56‑5‑2950, AS AMENDED, RELATING TO A PERSON WHO OPERATES A MOTOR VEHICLE GIVING IMPLIED CONSENT TO CHEMICAL TESTS TO DETERMINE THE PRESENCE OF ALCOHOL OR DRUGS, SO AS TO REVISE THE PENALTY IMPOSED UPON A PERSON WHO REFUSES TO BE SUBJECTED TO A CHEMICAL TEST; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE WHO REFUSES TO SUBMIT TO BE TESTED TO DETERMINE HIS ALCOHOL CONCENTRATION, SO AS TO LOWER THE ALCOHOL CONCENTRATION LEVEL THAT RESULTS IN A PERSON HAVING HIS LICENSE SUSPENDED, TO REVISE THE PERIOD OF TIME THAT A TEMPORARY ALCOHOL LICENSE REMAINS IN EFFECT, TO REVISE THE PERIOD OF TIME THAT A SUSPENSION OF A PERSON’S PRIVILEGE TO OPERATE A VEHICLE MUST REMAIN IN EFFECT WHEN AN ADMINISTRATIVE JUDGE UPHOLDS A SUSPENSION, TO PROVIDE THAT A HOLDER OF A RESTRICTED DRIVER’S LICENSE MAY OPERATE ONLY A VEHICLE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE, AND TO REVISE THE PENALTY FOR VIOLATIONS OF VARIOUS DRIVING OFFENSES; AND TO AMEND SECTION 56‑5‑2990, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE FOR A VIOLATION OF CERTAIN ALCOHOL AND DRUG RELATED DRIVING OFFENSES, SO AS TO REVISE THE PENALTIES, AND TO PROVIDE THAT THIS PROVISION APPLIES TO CERTAIN PERSONS WHO HAVE BEEN ISSUED AN IGNITION INTERLOCK RESTRICTED LICENSE.

Ordered for consideration tomorrow.

Senator LARRY MARTIN from the Committee on Judiciary submitted a majority favorable with amendment and Senators FORD and HUTTO a minority unfavorable report on:

S. 1065 -- Senators L. Martin, Hayes and Fair: A BILL TO AMEND SECTION 61‑2‑180 OF THE 1976 CODE, RELATING TO BINGO, RAFFLES, AND OTHER SPECIAL EVENTS, TO CLARIFY THAT THIS SECTION DOES NOT AUTHORIZE THE USE OF ANY DEVICE PROHIBITED BY SECTION 12‑21‑2710; AND TO AMEND SECTION 61‑4‑580, RELATING TO GAME PROMOTIONS ALLOWED BY HOLDERS OF PERMITS AUTHORIZING THE SALE OF BEER OR WINE, TO CLARIFY THAT THIS ITEM DOES NOT AUTHORIZE THE USE OF ANY DEVICE PROHIBITED BY SECTION 12‑21‑2710.

Ordered for consideration tomorrow.

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

S. 1137 -- Senator Shoopman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED EMERGENCY.

Ordered for consideration tomorrow.

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

S. 1268 -- Senators Peeler and Shoopman: A JOINT RESOLUTION TO PROVIDE THAT IN 2013 AND 2014, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN THE MANUFACTURER’S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SEVEN HUNDRED TWO DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

Ordered for consideration tomorrow.

Senator MALLOY from the Committee on Judiciary submitted a favorable report on:

S. 1321 -- Senators Malloy, McConnell and Knotts: A BILL TO AMEND THE “OMNIBUS CRIME REDUCTION AND SENTENCING REFORM ACT OF 2010”, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 16‑11‑110, RELATING TO ARSON, SO AS TO RESTRUCTURE THE DEGREES OF ARSON; BY AMENDING SECTION 16‑23‑500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM OR AMMUNITION BY A PERSON CONVICTED OF A VIOLENT CRIME CLASSIFIED AS A FELONY, SO AS TO PROVIDE THAT IT IS A VIOLATION OF PROBATION, PAROLE, COMMUNITY SUPERVISION, OR ANY OTHER SUPERVISION PROGRAM OPERATED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES FOR AN OFFENDER TO PURCHASE OR POSSESS A FIREARM, AMMUNITION, OR ANY OTHER DANGEROUS WEAPON; BY AMENDING SECTION 22‑3‑560, RELATING TO THE ABILITY OF MAGISTRATES TO PUNISH BREACHES OF THE PEACE, SO AS TO PROVIDE THAT MAGISTRATES MAY PUNISH BREACHES OF THE PEACE BY A FINE NOT EXCEEDING FIVE HUNDRED DOLLARS OR IMPRISONMENT FOR A TERM NOT EXCEEDING THIRTY DAYS, OR BOTH; BY AMENDING SECTION 22‑5‑920, RELATING TO THE EXPUNGEMENT OF YOUTHFUL OFFENDERS’ RECORDS, SO AS TO PROVIDE THAT EXPUNGEMENT DOES NOT APPLY TO OFFENSES IN WHICH REGISTRATION ON THE SEXUAL OFFENDER REGISTRY IS REQUIRED, EXCEPT IN CASES IN WHICH A DETERMINATION IS MADE BY THE SENTENCING COURT THAT THE SEXUAL CONDUCT WITH A VICTIM OF AT LEAST FOURTEEN YEARS OF AGE WAS CONSENSUAL; BY AMENDING SECTION 24‑19‑10, RELATING TO THE DEFINITION OF A “YOUTHFUL OFFENDER”, SO AS TO PROVIDE THAT IF THE OFFENDER COMMITTED BURGLARY IN THE SECOND DEGREE PURSUANT TO SECTION 16‑11‑312(B), THE OFFENDER MUST RECEIVE AND SERVE A MINIMUM SENTENCE OF AT LEAST THREE YEARS, NO PART OF WHICH MAY BE SUSPENDED, AND THE PERSON IS NOT ELIGIBLE FOR CONDITIONAL RELEASE UNTIL THE PERSON HAS SERVED THE THREE‑YEAR MINIMUM SENTENCE; BY AMENDING SECTION 24‑21‑5 AND SECTION 24‑21‑100, RELATING TO ADMINISTRATIVE MONITORING BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE THE PROCEDURES THE DEPARTMENT SHALL FOLLOW WHEN NOTIFYING PERSONS UNDER ADMINISTRATIVE MONITORING; BY AMENDING SECTION 24‑21‑280, RELATING TO COMPLIANCE CREDITS OF PERSONS UNDER THE SUPERVISION OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE THAT AN INDIVIDUAL MAY EARN UP TO TWENTY DAYS OF COMPLIANCE CREDITS FOR EACH THIRTY‑DAY PERIOD IN WHICH THE DEPARTMENT DETERMINES THAT THE INDIVIDUAL HAS SUBSTANTIALLY FULFILLED ALL OF THE CONDITIONS OF SUPERVISION; BY AMENDING SECTION 44‑53‑370 AND SECTION 44‑53‑375, RELATING TO CONTROLLED SUBSTANCE OFFENSES, SO AS TO REMOVE CERTAIN PROVISIONS PERTAINING TO PRIOR AND SUBSEQUENT CONTROLLED SUBSTANCE CONVICTIONS; BY AMENDING SECTION 44‑53‑470, RELATING TO WHEN A CONTROLLED SUBSTANCE OFFENSE IS CONSIDERED A SECOND OR SUBSEQUENT OFFENSE, SO AS TO PROVIDE THAT A CONVICTION FOR TRAFFICKING IN CONTROLLED SUBSTANCES MUST BE CONSIDERED A PRIOR OFFENSE FOR PURPOSES OF ANY CONTROLLED SUBSTANCE PROSECUTION; BY AMENDING SECTION 56‑1‑396, RELATING TO THE DRIVER’S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO PROVIDE THAT QUALIFYING SUSPENSIONS DO NOT INCLUDE SUSPENSIONS PURSUANT TO SECTION 56‑5‑2990 OR SECTION 56‑5‑2945, AND DO NOT INCLUDE SUSPENSIONS PURSUANT TO SECTION 56‑1‑460, IF THE PERSON DRIVES A MOTOR VEHICLE WHEN THE PERSON’S LICENSE HAS BEEN SUSPENDED OR REVOKED PURSUANT TO SECTION 56‑5‑2990 OR SECTION 56‑5‑2945; AND BY AMENDING SECTION 56‑1‑460, RELATING TO THE OFFENSE OF DRIVING UNDER SUSPENSION, SO AS TO PROVIDE THAT FOR A THIRD OR SUBSEQUENT OFFENSE, THE PERSON MUST BE FINED ONE THOUSAND DOLLARS, AND IMPRISONED FOR UP TO NINETY DAYS OR CONFINED TO THE PERSON’S PLACE OF RESIDENCE PURSUANT TO THE HOME DETENTION ACT FOR UP TO NINETY DAYS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the General Committee polled out S. 1361 favorable:

S. 1361 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE USE OF REFORMED MILITARY COMMISSIONS AT THE TRIAL OF ALLEGED TERRORISTS WHO WERE INVOLVED WITH ATTACKING INNOCENT AMERICANS, INTENTIONALLY CAUSING SERIOUS BODILY INJURIES, MURDER IN VIOLATION OF THE LAW OF WAR, AND PROVIDING MATERIAL SUPPORT OF TERRORISM.

**Poll of the General Committee**

**Polled 17; Ayes 16; Nays 0; Not Voting 1**

**AYES**

Alexander O’Dell *Martin, Larry*

Knotts Ford Reese

Lourie Bryant Bright

Cleary Coleman Cromer

Hayes Jackson Scott

Shoopman

**Total--16**

**NAYS**

**Total--0**

**NOT VOTING**

Sheheen

**Total--1**

Ordered for consideration tomorrow.

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

H. 3083 -- Reps. Pitts, Daning, Toole, G.M. Smith, Clyburn, Bingham, J.R. Smith, Huggins, Young, Taylor, Long, H.B. Brown, Ryan, Whipper and R.L. Brown: A BILL TO ENACT THE “SOUTH CAROLINA CONSERVATION BANK REAUTHORIZATION ACT” BY AMENDING ACT 200 OF 2002, WHICH ENACTED THE “SOUTH CAROLINA CONSERVATION BANK ACT” AND PROVIDED FOR ITS FUNDING, SO AS TO DELETE THE SUNSETTING OF THAT ACT OTHERWISE EFFECTIVE JULY 1, 2013, AND TO MAKE VARIOUS SECTIONS OF THAT ACT PERMANENT LAW BY DESIGNATING SECTIONS 3, 5, 6, 8, 10, AND 11 OF ACT 200 OF 2002, RELATING RESPECTIVELY TO THE PORTION OF THE DEED RECORDING FEE DEDICATED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, THE SUSPENSION OF DEED RECORDING FEE REVENUE IN CERTAIN CIRCUMSTANCES, CONSERVATION EASEMENTS, BIENNIAL REPORTS TO THE GENERAL ASSEMBLY, USE OF CONSERVATION BANK FUNDS FOR BEACH CONSERVATION, AND USE OF CONSERVATION BANK FUNDS TO ACQUIRE LAND FOR STATE PARKS AS SECTIONS 12‑24‑96, 48‑59‑65, 27‑8‑37, 48‑59‑150, 48‑59‑160, AND 48‑59‑170, ALL OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976.

Ordered for consideration tomorrow.

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

H. 3221 -- Rep. Nanney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑53‑45 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO FILE ELECTRONICALLY ALL DOCUMENTS RELATING TO THE ENFORCED COLLECTION OF TAXES DUE THIS STATE WITH COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS IN THOSE COUNTIES WHICH ACCEPT ELECTRONIC FILINGS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a majority favorable with amendment and Senator MALLOY a minority unfavorable report on:

H. 3508 -- Reps. Gambrell, Sandifer, Harrell, Erickson, Limehouse, Weeks, H.B. Brown, Agnew, Allison, Anthony, Bales, Bannister, Bedingfield, Bingham, Brady, Brannon, G.A. Brown, Cole, Crosby, Forrester, Hardwick, Harrison, Hayes, Hiott, Hixon, Horne, Lowe, Lucas, McCoy, D.C. Moss, Owens, Parker, Pinson, Pitts, Skelton, J.E. Smith, J.R. Smith, Sottile, Tallon, Vick, White, Taylor, Hamilton, Battle, Allen, Dillard, Alexander, Cooper, Mack and Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO RETITLE ARTICLE 23, CHAPTER 9, TITLE 58, RELATING TO GOVERNMENT‑OWNED TELECOMMUNICATIONS SERVICE PROVIDERS AS “GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDERS”; BY ADDING SECTION 58‑9‑2660 SO AS TO PROVIDE A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER MAY PETITION THE PUBLIC SERVICE COMMISSION TO DESIGNATE ONE OR MORE AREAS AS AN “UNSERVED AREA”, TO SPECIFY THE PROCEDURE FOR MAKING AND PROTESTING THIS PETITION, TO PROVIDE FOR A HEARING OF A PROTEST TO A PETITION, TO PROVIDE FOR THE APPLICATION OF CERTAIN PROVISIONS OF LAW TO AN UNSERVED AREA, AND TO PROVIDE A PROCESS FOR PETITIONING FOR A DETERMINATION THAT AN AREA HAS CEASED TO BE AN UNSERVED AREA; TO AMEND SECTION 58‑9‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING TELEPHONE COMPANIES, SO AS TO MODIFY THE DEFINITION OF “BROADBAND SERVICE”; TO AMEND SECTION 58‑9‑2600, RELATING TO THE PURPOSE OF ARTICLE 23, CHAPTER 9, TITLE 58, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY THE SCOPE OF THE ARTICLE; TO AMEND SECTION 58‑9‑2610, RELATING TO DEFINITIONS CONCERNING GOVERNMENT‑OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 58‑9‑2620, AS AMENDED, RELATING TO DUTIES, RESTRICTIONS, RATE COMPUTATIONS, AND ACCOUNTING REQUIREMENTS OF GOVERNMENT‑OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES, TO GIVE THE OFFICE OF REGULATORY STAFF JURISDICTION TO INVESTIGATE THE COMPLIANCE OF A GOVERNMENT‑OWNED COMMUNICATIONS PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, TO PROVIDE THE COMMISSION MAY ENFORCE THE COMPLIANCE OF A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, AND TO CLARIFY THAT THIS SECTION DOES NOT EXPAND OR LIMIT THE JURISDICTION OF THE COMMISSION OR OFFICE OF REGULATORY STAFF WITH RESPECT TO ANY SERVICE PROVIDER OTHER THAN A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER; TO AMEND SECTION 58‑9‑2630, RELATING TO CERTAIN TAX COLLECTIONS AND PAYMENTS, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 58‑9‑2650, AS AMENDED, RELATING TO LIABILITY INSURANCE RATES FOR COMMUNICATIONS OPERATIONS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

**H. 3508--Bill Recommitted to the Committee on Judiciary**

On motion of Senator LARRY MARTIN, the Bill was recommitted to the Committee on Judiciary.

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

H. 3720 -- Reps. Cooper, Henderson and Patrick: A BILL TO AMEND SECTION 12‑6‑3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE JOBS TAX CREDIT, SO AS TO REVISE THE REQUIREMENTS OF A QUALIFYING SERVICE‑RELATED FACILITY AND A TECHNOLOGY INTENSIVE FACILITY; BY ADDING SECTION 12‑6‑3411 SO AS TO PROVIDE THAT A CORPORATION ESTABLISHING A NATIONAL CORPORATE HEADQUARTERS OR EXPANDING OR ADDING TO AN EXISTING NATIONAL CORPORATE HEADQUARTERS IN THIS STATE, WHICH IN CONNECTION THEREWITH ADDS AT LEAST FIFTY NEW FULL‑TIME JOBS SHALL BE EXEMPT FROM PAYING STATE CORPORATE INCOME TAXES FOR A PERIOD OF TEN YEARS; TO AMEND SECTION 12‑20‑105, AS AMENDED, RELATING TO TAX CREDITS FOR PROVIDING INFRASTRUCTURE, SO AS TO INCREASE THE MAXIMUM AGGREGATE CREDIT TO FOUR HUNDRED THOUSAND DOLLARS ANNUALLY; TO AMEND SECTIONS 4‑12‑30, 4‑29‑67, AND 12‑44‑90, ALL AS AMENDED, RELATING TO FEE IN LIEU OF TAXES, SO AS TO PROVIDE THAT A COUNTY AUDITOR OR COUNTY ASSESSOR MAY REQUEST AND OBTAIN ANY FINANCIAL BOOKS AND RECORDS FROM A SPONSOR THAT SUPPORT THE SPONSOR’S TAX FORM OR RETURN TO VERIFY THE CALCULATIONS OF THE FEE IN LIEU OF TAXES TAX FORM OR RETURN; AND TO AMEND SECTION 12‑36‑2120, AS AMENDED, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT COMPUTERS, COMPUTER EQUIPMENT, COMPUTER HARDWARE AND SOFTWARE PURCHASES FOR A DATACENTER AND ELECTRICITY USED BY A DATACENTER.

Ordered for consideration tomorrow.

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

H. 4664 -- Rep. Clyburn: A BILL TO AMEND SECTION 11‑50‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA RURAL INFRASTRUCTURE AUTHORITY, SO AS TO PROVIDE FOR THE APPOINTMENT OF CERTAIN MEMBERS OF THE GOVERNING BOARD OF THE AUTHORITY.

Ordered for consideration tomorrow.

**Appointment Reported**

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

**Statewide Appointment**

Initial Appointment, Director of Department of Labor, Licensing and Regulation, with term coterminous with Governor

Holly G. Pisarik, 4762 Fernwood Rd., Columbia, SC 29206

Received as information.

**Message from the House**

Columbia, S.C., March 21, 2012

Mr. President and Senators:

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

H. 3527 -- Reps. Gilliard, McEachern, Spires, Butler Garrick, King, Jefferson, Sabb, Munnerlyn, V.S. Moss, Cobb‑Hunter, Herbkersman, Willis, Harrell, Pope, D.C. Moss, Norman, Hearn, Horne, Murphy, Bikas, Viers, Whipper and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑970 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE TO BE A MEMBER OF AN INTERNET‑BASED SOCIAL NETWORKING WEBSITE AND TO PROVIDE A PENALTY.

Very respectfully,

Speaker of the House

Received as information.

**SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 3527 -- Reps. Gilliard, McEachern, Spires, Butler Garrick, King, Jefferson, Sabb, Munnerlyn, V.S. Moss, Cobb‑Hunter, Herbkersman, Willis, Harrell, Pope, D.C. Moss, Norman, Hearn, Horne, Murphy, Bikas, Viers, Whipper and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑970 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE TO BE A MEMBER OF AN INTERNET‑BASED SOCIAL NETWORKING WEBSITE AND TO PROVIDE A PENALTY.

On motion of Senator FAIR, the Senate insisted upon its amendments to H. 3527 and asked for a Committee of Conference.

Whereupon, Senators HUTTO, CAMPBELL and SHOOPMAN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., March 21, 2012

Mr. President and Senators:

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

H. 3254 -- Rep. Daning: A BILL TO AMEND SECTION 57‑23‑815, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ROADSIDE VEGETATION MANAGEMENT AT EXIT 199 ALONG INTERSTATE HIGHWAY 26 IN BERKELEY COUNTY, SO AS TO PROVIDE THAT BOTH THE DEPARTMENT OF TRANSPORTATION AND THE TOWN OF SUMMERVILLE MAY MOW BEYOND THIRTY FEET FROM THE PAVEMENT ROADSIDE VEGETATION ADJACENT TO INTERSTATE 26 AT THIS LOCATION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 21, 2012

Mr. President and Senators:

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

H. 3333 -- Reps. Sandifer, Toole, Bowers, Hayes, Erickson and Brady: A BILL TO AMEND SECTION 38‑1‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38 RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO AMEND THE DEFINITION OF “ADMITTED ASSETS” TO INCLUDE THOSE ON THE MOST RECENT STATUTORY FINANCIAL STATEMENT OF THE INSURER FILED WITH THE DEPARTMENT OF INSURANCE PURSUANT TO THE PROVISIONS OF SECTION 38‑13‑80; TO AMEND SECTION 38‑9‑10, RELATING TO CAPITAL AND SURPLUS REQUIRED OF STOCK INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES THAT MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38‑9‑20, RELATING TO THE SURPLUS REQUIRED OF MUTUAL INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES WHICH MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38‑9‑210, RELATING TO THE REDUCTION FROM LIABILITY FOR THE REINSURANCE CEDED BY A DOMESTIC INSURER, SO AS TO CHANGE THE SECURITIES LISTED THAT QUALIFY AS SECURITY; TO AMEND SECTION 38‑10‑40, RELATING TO THE PROTECTED CELL ASSETS OF A PROTECTED CELL, SO AS TO CHANGE A CODE REFERENCE; TO AMEND SECTION 38‑33‑130, RELATING TO THE SECURITY DEPOSIT OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO DELETE THE REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL ISSUE A CONVERSION POLICY TO AN ENROLLEE UPON THE TERMINATION OF THE ORGANIZATION; AND TO AMEND SECTION 38‑55‑80, RELATING TO LOANS TO DIRECTORS OR OFFICERS BY AN INSURER, SO AS TO CHANGE A CODE REFERENCE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 21, 2012

Mr. President and Senators:

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

H. 3631 -- Reps. Harrison, Clemmons, Funderburk, Pitts, Anderson, R.L. Brown, Govan, Hodges, Allen, White, Edge, Whipper, Hiott, Limehouse, Horne, Vick, Herbkersman, Agnew, Viers, Hardwick, Harrell, Sellers, Skelton, Gambrell, Young and Taylor: A BILL TO AMEND SECTION 48‑34‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR CONDUCTING A PRESCRIBED FIRE, SO AS TO FURTHER SPECIFY SUPERVISION REQUIREMENTS FOR A PRESCRIBED FIRE MANAGER AND TO REFERENCE SPECIFIC REGULATORY AND STATUTORY PROVISIONS APPLICABLE TO CONDUCTING A PRESCRIBED FIRE; AND TO AMEND SECTION 48‑34‑50, RELATING TO LIABILITY FOR DAMAGES CAUSED BY A PRESCRIBED FIRE, SO AS TO PROVIDE THAT A PROPERTY OWNER, LESSEE, AGENT, OR EMPLOYEE IS NOT LIABLE FOR DAMAGES CAUSED BY THE RESULTING SMOKE OF A PRESCRIBED FIRE UNLESS GROSS NEGLIGENCE IS PROVEN.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 21, 2012

Mr. President and Senators:

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

H. 3793 -- Reps. Thayer, Whitmire, H.B. Brown, G.R. Smith, Gambrell, Bowen, Hardwick, Clemmons, Mitchell, Parks, Atwater, Butler Garrick, Pinson, Corbin, Norman, Viers, Erickson, Hearn, Murphy, Allison, McCoy, Govan, Agnew, Hosey, Hiott, Patrick, Chumley, Brannon, Battle, Brady, R.L. Brown, Clyburn, Cobb‑Hunter, Cole, Daning, Delleney, Funderburk, Hamilton, Harrison, Hayes, Henderson, Horne, Lucas, D.C. Moss, V.S. Moss, Nanney, J.M. Neal, Owens, Pitts, Pope, Ryan, Sabb, Sandifer, Simrill, J.R. Smith, Stringer, Tallon, Taylor, White, Cooper, Quinn, Lowe, Barfield, Munnerlyn, Weeks, Putnam, Gilliard, Branham, Alexander, Jefferson, Spires, Willis, Frye, Ballentine, Huggins, King, Anderson and Hixon: A BILL TO AMEND SECTION 44-53-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATERIALS, COMPOUNDS, MIXTURES, AND PREPARATIONS CLASSIFIED AS SCHEDULE I CONTROLLED SUBSTANCES, INCLUDING HALLUCINOGENICS, SO AS TO ADD METHYLONE, MDPV, MEPHEDRONE, METHOXYMETHCATHINONE, AND FLUROROMETHCATHINONE, COMMONLY REFERRED TO AS “BATH SALTS”, TO THE LIST OF SCHEDULE I DRUGS..

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 21, 2012

Mr. President and Senators:

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

H. 4541 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF HICKORY RIDGE DRIVE AND PADGETT ROAD IN RICHLAND COUNTY THAT CONTAIN THE WORDS “HICKORY RIDGE COMMUNITY”.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 21, 2012

Mr. President and Senators:

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

H. 4716 -- Rep. Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57‑23‑855 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY MAINTAIN AND MOW ROADSIDE VEGETATION BEYOND THIRTY FEET FROM THE PAVEMENT ADJACENT TO EXIT 190 ALONG INTERSTATE HIGHWAY 95 IN DILLON COUNTY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 21, 2012

Mr. President and Senators:

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

H. 4882 -- Reps. Crawford, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G.A. Brown, H.B. Brown, R.L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb‑Hunter, Cole, Corbin, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D.C. Moss, V.S. Moss, Munnerlyn, Murphy, Nanney, J.H. Neal, J.M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, AT A DATE AND TIME TO BE MUTUALLY AGREED UPON BY THE SPEAKER AND THE PRESIDENT PRO TEMPORE, FOR ITS ANNUAL STATE HOUSE MEETING.

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCES**

S. 1238 -- Senator S. Martin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 150 IN SPARTANBURG COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 176 TO THE SPARTANBURG/CHEROKEE COUNTY LINE “ERNIE WHITE MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “ERNIE WHITE MEMORIAL HIGHWAY”.

Returned with concurrence.

Received as information.

S. 1343 -- Senator Knotts: A CONCURRENT RESOLUTION TO FIX TUESDAY, APRIL 17, 2012, AT 12:30 P.M., AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, CLEMSON UNIVERSITY, UNIVERSITY OF SOUTH CAROLINA, AND WIL LOU GRAY OPPORTUNITY SCHOOL TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE ON JUNE 30, 2012, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; IMMEDIATELY FOLLOWING THE ELECTION OF MEMBERS OF BOARDS OF TRUSTEES TO ELECT MEMBERS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE APPELLATE PANEL; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

Returned with concurrence.

Received as information.

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

**READ THE THIRD TIME**

**ORDERED ENROLLED FOR RATIFICATION**

H. 4639 -- Reps. Sandifer, Gambrell, Toole and Hardwick: A BILL TO AMEND SECTION 6‑10‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE 2006 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, SO AS TO ADOPT THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AS THE ENERGY STANDARD.

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

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

**Ayes 30; Nays 12; Present 1**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Elliott Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

Matthews McGill Nicholson

Peeler Pinckney Rankin

Reese Ryberg Scott

Setzler Sheheen Williams

**Total--30**

**NAYS**

Bright Bryant Cromer

Davis Fair Gregory

Grooms *Martin, Shane* Massey

Rose Shoopman Verdin

**Total--12**

**PRESENT**

Ford

**Total--1**

The Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification.

**AMENDED, READ THE THIRD TIME**

**SENT TO THE HOUSE**

S. 1101 -- Senators Sheheen, Malloy, Land, Leventis, Scott, Hutto, Nicholson, McGill, Setzler, Ford, Matthews, Reese and Anderson: A BILL TO AMEND CHAPTER 2, TITLE 12 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING TAXATION AND THE DEPARTMENT OF REVENUE, BY ADDING SECTION 12‑2‑110, TO PROVIDE THAT THE DEPARTMENT MUST DEVELOP A CHART TO REFLECT THE PROPORTION OF APPROPRIATIONS FOR CERTAIN APPROPRIATIONS CATEGORIES TO TOTAL STATE APPROPRIATIONS AND TO DEVELOP A CHART TO REFLECT THE PROPORTION OF CATEGORIZED REVENUE SOURCES TO THE TOTAL REVENUE USED IN THE ANNUAL APPROPRIATIONS ACT, AND TO PROVIDE THAT THE CHARTS MUST BE DISPLAYED ON INCOME TAX FORMS, INCOME TAX FORM INSTRUCTION BOOKLETS, AND IN CONFIRMATION EMAILS FOR INCOME TAX RETURNS FILED ELECTRONICALLY; AND TO AMEND CHAPTER 54, TITLE 12, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12‑54‑255, TO REQUIRE THAT THE DEPARTMENT OF REVENUE SEND A CONFIRMATION EMAIL FOR ALL INCOME TAX RETURNS FILED ELECTRONICALLY, AND TO REQUIRE THAT THE CONFIRMATION EMAIL CONTAIN THE CHARTS REQUIRED BY SECTION 12‑2‑110.

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

**Motion Under Rule 26B**

Senator BRYANT asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator BRYANT proposed the following amendment (NBD\  
12224DG12), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12‑2‑110(B)(3) in its entirety and inserting:

/ (3) The Office of State Budget shall provide these charts, along with explanations, to the Department of Revenue no later than August first of each year, to the extent possible. The explanations must include, but are not limited to, a brief description of the categories presented in the charts created pursuant to items (1) and (2) including reference to, and definition of, key appropriation act terms and processes that the office deems necessary in order to facilitate the best possible understanding of the charts by taxpayers. Also, the explanation must include reference to total appropriations, by fund category, utilized in the most recent annual appropriations act as presented in the ‘Recapitulation’ portion of Part 1A of the annual appropriations act. /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Gregory Grooms

Hayes Hutto Jackson

Leatherman Leventis Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson O'Dell

Peeler Rankin Reese

Rose Ryberg Setzler

Sheheen Shoopman Verdin

Williams

**Total--37**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**AMENDED, READ THE THIRD TIME**

**SENT TO THE HOUSE**

S. 302 -- Senators Fair, Hutto, Jackson, Knotts, Rankin and Ford: A BILL TO AMEND SECTION 63-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY SERVICES THAT THE DEPARTMENT OF JUVENILE JUSTICE SHALL PROVIDE, SO AS TO AUTHORIZE THE DEPARTMENT OF JUVENILE JUSTICE TO GRANT PROBATIONERS AND PAROLEES UNDER THE DEPARTMENT’S SUPERVISION UP TO A TEN-DAY REDUCTION OF THE PROBATIONARY OR PAROLE TERM FOR EACH MONTH THEY ARE COMPLIANT WITH THE TERMS AND CONDITIONS OF THEIR PROBATION OR PAROLE.

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

**Motion Under Rule 26B**

Senator MASSEY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator MASSEY proposed the following amendment (JUD0302.001), which was adopted:

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

/ SECTION 1. Article 17, Chapter 19, Title 63 of the 1976 Code is amended by adding:

“Section 63-19-1835. The department may grant up to a ten-day reduction of the probationary or parole term to probationers and parolees who are under the department’s supervision for each month they are compliant with the terms and conditions of their probation or parole order.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**AMENDED, READ THE THIRD TIME**

**SENT TO THE HOUSE**

S. 1301 -- Senators Fair and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑11‑335 SO AS TO PROVIDE THAT TO ENSURE A REPRESENTATIVE GOVERNING BODY ABOVE A SIZE OF THREE, AN ELECTED GOVERNING BODY OF A PUBLIC SERVICE DISTRICT LOCATED WHOLLY IN ONE COUNTY WHICH PROVIDES WATER, SEWER, OR FIRE SERVICE WITHIN ITS SERVICE AREA MAY BE ENLARGED BY ADDITIONAL MEMBERS IN THE MANNER AND UNDER THE PROCEDURES SPECIFIED IN THIS SECTION.

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

**Motion Under Rule 26B**

Senator FAIR asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator FAIR proposed the following amendment (JUD1301.001), which was adopted:

Amend the bill, as and if amended, page 1, beginning on line 26, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Article 1, Chapter 11, Title 6 of the 1976 Code is amended by adding:

“Section 6‑11‑335. (A) For purposes of this section:

(1) ‘membership’ means the governing body of a public service district created prior to 1975, located wholly in one county, and providing water, sewer, or fire service; and

(2) ‘additional members’ means the persons who increase the membership as provided by this section.

(B) The membership may seek to authorize additional members not to exceed a total of ten by petitioning:

(1) the county legislative delegation if the membership is appointed by or upon the recommendation of the county legislative delegation, or

(2) the county governing body, if the membership is elected or appointed by or upon the recommendation of the county governing body or an entity other than the county legislative delegation.

(C) The petition must be in writing and include reasons for the increase in membership.

(D) If the county legislative delegation or the county governing body has not affirmatively disapproved the petition within sixty days of receiving the petition, the membership may file the petition with the Secretary of State’s office. Upon certification by the Secretary of State that additional members have been authorized, the membership shall be increased.

(E) If the membership is elected, the additional members shall be elected at the next regularly scheduled election for the membership in the same manner as the membership is elected and to serve for terms of the same length and until their successors are elected and qualify; provided, that of the additional members first elected:

(1) if an even number of additional members is elected, one-half of the additional members receiving the highest number of votes shall serve initial terms of the same length as the membership, and the remaining additional members receiving the next highest number of votes shall serve initial terms of one-half that length; or

(2) if an odd number of additional members is elected, one-half plus one of the additional members receiving the highest number of votes shall serve initial terms of the same length as the membership and the remaining additional members receiving the next highest number of votes shall serve initial terms of one-half that length.

Thereafter, the successors of the additional members must be elected for terms of the same length as the membership.

(F) If the membership is appointed, the additional members may be appointed in the same manner the membership is appointed with at least one-half of the additional members to serve initial terms of the same length as the membership, and the remaining additional members to serve initial terms of one-half that length. The initial terms of all additional members must be designated by their appointing authority. Thereafter, their successors must be appointed for terms of the same length as the membership.

(G) All members shall serve until their successors are elected or appointed and qualify.” /

Renumber sections to conform.

Amend title to conform.

Senator FAIR explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O'Dell Peeler

Rankin Reese Ryberg

Scott Setzler Sheheen

Shoopman Verdin Williams

**Total--39**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**READ THE SECOND TIME**

S. 731 -- Senators Scott and Jackson: A BILL TO AMEND SECTION 5‑7‑200, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR FORFEITURE OF THE OFFICE OF MAYOR OR COUNCILMAN AND THE FILLING OF A VACANCY IN EITHER OFFICE, SO AS TO PROVIDE AN ADDITIONAL PERIOD OF TIME THAT MAY BE UTILIZED TO FILL A VACANCY IN EITHER OFFICE.

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

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

**Ayes 39; Nays 2; Present 1**

**AYES**

Alexander Anderson Campbell

Cleary Coleman Courson

Cromer Davis Elliott

Fair Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Verdin Williams

**Total--39**

**NAYS**

Bright Bryant

**Total--2**

**PRESENT**

*Martin, Shane*

**Total--1**

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**READ THE SECOND TIME**

S. 1299 -- Senators Cleary and McGill: A BILL TO AMEND SECTION 54‑15‑20 OF THE 1976 CODE, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA COMMISSIONERS OF PILOTAGE FOR THE UPPER COASTAL AREA, TO INCREASE THE NUMBER OF MEMBERS ON THE COMMISSION FROM SIX TO EIGHT.

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

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

**Ayes 44; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--44**

**NAYS**

**Total--0**

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**READ THE SECOND TIME**

S. 1352 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4237, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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

**Ayes 42; Nays 2**

**AYES**

Alexander Anderson Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Scott Setzler Sheheen

Shoopman Verdin Williams

**Total--42**

**NAYS**

Bright Ryberg

**Total--2**

The Resolution was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

H. 3392 -- Reps. Clemmons, Sellers, Allen, G.M. Smith and Weeks: A BILL TO AMEND SECTION 7‑13‑35, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE FOR GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE POSTED TIME AT WHICH ABSENTEE BALLOTS MAY BEGIN TO BE EXAMINED FROM 2:00 P.M. TO 9:00 A.M. AND TO REQUIRE NOTIFICATION OF THE DATE THE MAKE‑UP ELECTION WILL BE HELD IN THE EVENT OF INCLEMENT WEATHER OR OTHER EMERGENCY; TO AMEND SECTION 7‑13‑40, AS AMENDED, RELATING TO THE DATE BY WHICH THE PARTY CHAIRMAN, VICE CHAIRMAN, OR SECRETARY MUST PROVIDE WRITTEN CERTIFICATION OF THE CANDIDATES’ NAMES TO THE STATE ELECTION COMMISSION, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7‑13‑190, AS AMENDED, RELATING TO SPECIAL ELECTIONS, SO AS TO PROVIDE THAT IF THE GOVERNOR DECLARES A STATE OF EMERGENCY COVERING AN ENTIRE JURISDICTION HOLDING AN ELECTION, THE ELECTION MUST BE POSTPONED AND HELD ON THE NEXT TUESDAY; AND TO AMEND SECTION 7‑13‑350, AS AMENDED, RELATING TO THE CERTIFICATION OF CANDIDATES, SO AS TO CHANGE THE DATE BY WHICH CANDIDATES FOR PRESIDENT AND VICE PRESIDENT MUST BE CERTIFIED TO THE STATE ELECTION COMMISSION FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY IN SEPTEMBER.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

Senator SCOTT proposed the following amendment (JUD3392.002), which was adopted:

Amend the committee amendment, as and if amended, on page [3392-3], after line 31, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Section 5‑7‑200 of the 1976 Code is amended to read:

“Section 5‑7‑200. ~~(a)~~(A) A mayor or councilman shall forfeit his office if he:

(1) lacks at any time during his term of office ~~any~~ a qualification for the office prescribed by the general law and the Constitution;

(2) violates ~~any~~ an express prohibition of Chapters 1 to 17; or

(3) is convicted of a crime involving moral turpitude.

~~(b)~~(B) A vacancy in the office of mayor or council ~~shall~~ must be filled for the remainder of the unexpired term either:

(1) at the next ~~regular~~ municipal election; or

(2) at a special election held pursuant to Section 7‑13‑190, if the vacancy occurs:

(a) one hundred eighty days or more, or

(b) ninety days or less

prior to the next ~~general~~ municipal election.” /

Renumber sections to conform. Amend title to conform.

Senator SCOTT explained the perfecting amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD3392.001), which was adopted:

Amend the bill, as and if amended, page 4, by striking line 23 and inserting the following therein:

/ SECTION 5. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) Notwithstanding the provision of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish at least one early voting center and may establish up to three early voting centers. The county board of registration and elections will determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees.

(E) The early voting period begins eleven days before an election and ends three days prior to the election.

(F) The county board of registration and elections must determine the hours of operation and location for an early voting center. However, the early voting center must be open for two Saturdays within the early voting period for statewide primaries and general elections.

(G) In addition to the early voting centers established pursuant to Section 7‑13‑25, a county board of registration and elections may authorize up to two additional early voting centers if the county board of registration and elections finds there is a need for additional early voting centers after holding a public hearing on the matter. The county board of registration and elections will determine the location of the early voting center or centers.

(H) A sign must be posted prominently in an early voting center and must have printed on it, ‘VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS’.”

SECTION 6. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 253 of 2006, is further amended to read:

“(C) The executive director shall:

(1) maintain a complete master file of all qualified electors by county and by precincts;

(2) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

(3) enter names on the master file as they are reported by the county registration boards;

(4) furnish each county registration board with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

(5) maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;

(6) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

(7) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

(8) obtain information from any other source which may assist him in carrying out the purposes of this section;

(9) perform such other duties relating to elections as may be assigned him by the State Election Commission;

(10) furnish at reasonable price any precinct lists to a qualified elector requesting them;

(11) serve as the chief state election official responsible for implementing and coordinating the state’s responsibilities under the National Voter Registration Act of 1993; ~~and~~

(12) serve as the chief state election official responsible for implementing and enforcing the state’s responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the United States Code, Title 42, Section 1973ff, et seq; and

(13) enter into the master file a separate designation each for voters casting absentee ballots and early ballots in a general election.”

SECTION 7. Section 7‑15‑320 of the 1976 Code is amended by adding an appropriately numbered subsection at the beginning to read:

“( ) Any qualified elector may vote during the early voting period pursuant to Section 7-13-25.”

SECTION 8. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 35; Nays 8**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Elliott

Ford Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Rankin Reese

Ryberg Scott Setzler

Sheheen Williams

**Total--35**

**NAYS**

Bright Bryant Davis

Fair *Martin, Shane* Rose

Shoopman Verdin

**Total--8**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**ADOPTED**

S. 1334 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH BETHEL FOREST ROAD TO ITS INTERSECTION WITH GORDON DRIVE “MELVIN L. CRUM MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “MELVIN L. CRUM MEMORIAL HIGHWAY”.

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

**ADOPTED**

S. 1356 -- Senators Campbell, L. Martin, Knotts, Grooms, Rose and Ford: A CONCURRENT RESOLUTION TO URGE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR AN ADDITIONAL FOUR YEARS; FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

Senator CAMPBELL asked unanimous consent to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of the Resolution.

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

**Ayes 32; Nays 2; Present 3**

**AYES**

Alexander Bryant Campbell

Cleary Courson Elliott

Fair Gregory Grooms

Hayes Jackson Knotts

Land Leatherman Leventis

Lourie *Martin, Larry* Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Verdin Williams

**Total--32**

**NAYS**

Bright Davis

**Total--2**

**PRESENT**

Malloy *Martin, Shane* Shoopman

**Total--3**

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

**CARRIED OVER**

S. 781 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 97 TO TITLE 38 SO AS TO ENACT THE “PORTABLE ELECTRONICS INSURANCE ACT”, TO PROVIDE CERTAIN DEFINITIONS RELATED TO PORTABLE ELECTRONICS INSURANCE, TO PROVIDE REQUIREMENTS RELATING TO THE SALE OF PORTABLE ELECTRONICS INSURANCE, TO PROVIDE CERTAIN DISCLOSURE REQUIREMENTS OF A VENDOR OF PORTABLE ELECTRONICS INSURANCE TO THE PROSPECTIVE CONSUMER OF THIS INSURANCE, TO PROVIDE PENALTIES FOR A VIOLATION, AND TO PROVIDE LICENSURE FEES AND SURCHARGES.

On motion of Senator HAYES, the Bill was carried over.

**OBJECTION**

S. 45 -- Senators McConnell, Campsen and Ford: A BILL TO AMEND CHAPTER 15, TITLE 17 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 17‑15‑55, SO AS TO PROVIDE THAT THE CIRCUIT COURT SHALL CONSIDER MOTIONS REGARDING RECONSIDERATION OF BOND FOR GENERAL SESSIONS OFFENSES SET BY A SUMMARY COURT JUDGE; TO PROVIDE THAT FURTHER DEFENSE MOTIONS TO RECONSIDER BOND MAY BE HEARD BY THE CIRCUIT COURT ONLY UPON THE DEFENDANT’S PRIMA FACIE SHOWING OF A MATERIAL CHANGE IN CIRCUMSTANCE; TO PROVIDE THAT MOTIONS BY THE STATE TO REVOKE OR MODIFY A DEFENDANT’S BOND MUST BE MADE IN WRITING, STATE WITH PARTICULARITY THE GROUNDS FOR REVOCATION OR MODIFICATION, AND SET FORTH THE RELIEF OR ORDER SOUGHT; AND TO PROVIDE THAT, IF THE STATE’S MOTION TO REVOKE OR MODIFY BOND INCLUDES A PRIMA FACIE SHOWING OF IMMINENT DANGER TO THE COMMUNITY, OR IMMINENT DANGER TO THE DEFENDANT, OR FLIGHT BY THE DEFENDANT, THE CHIEF JUDGE OR PRESIDING JUDGE SHALL CONDUCT OR ORDER AN EMERGENCY HEARING WITHIN FORTY‑EIGHT HOURS.

Senator MALLOY objected to the Bill.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION TO MAKE THE BILL A SPECIAL ORDER FAILED**

S. 1125 -- Senators Bright, Bryant, S. Martin, Thomas, Gregory, Knotts, Campbell, Rose, Cromer, Fair, Campsen, Grooms, Peeler and Shoopman: A BILL TO AMEND SECTION 41‑35‑120 OF THE 1976 CODE, RELATING TO DISQUALIFICATION FOR UNEMPLOYMENT BENEFITS, TO PROVIDE THAT A PERSON DISCHARGED FROM EMPLOYMENT FOR CAUSE IS INELIGIBLE FOR BENEFITS FOR TWENTY WEEKS BEGINNING WITH THE DATE THE PERSON FILED A BENEFITS REQUEST.

Senator LARRY MARTIN made a motion to make the Bill a Special Order.

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

**Ayes 29; Nays 15**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Elliott Fair Gregory

Grooms Hayes Knotts

Leatherman *Martin, Larry Martin, Shane*

Massey Nicholson O'Dell

Peeler Rankin Reese

Rose Ryberg Setzler

Shoopman Verdin

**Total--29**

**NAYS**

Anderson Coleman Ford

Hutto Jackson Land

Leventis Lourie Malloy

Matthews McGill Pinckney

Scott Sheheen Williams

**Total--15**

Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

**Expression of Personal Interest**

Senator BRIGHT rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator RYBERG rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator COLEMAN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator ELLIOTT rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator LAND rose for an Expression of Personal Interest.

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, the Senate agreed to dispense with the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

**VETO CARRIED OVER**

(R135, H4723) -- Reps. Loftis, Corbin, Allen, Dillard, Hamilton, Henderson, Nanney, G.R. Smith, Stringer, Willis and Bannister: AN ACT TO AMEND ACT 848 OF 1954, RELATING TO THE CREATION OF THE BEREA WATER AND SEWER DISTRICT IN GREENVILLE COUNTY, SO AS TO ADD TWO ADDITIONAL MEMBERS TO THE GOVERNING COMMISSION AND PROVIDE FOR STAGGERING THEIR TERMS.

The veto of the Governor was taken up for immediate consideration.

On motion of Senator SHOOPMAN, the veto was carried over.

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

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE WITH AMENDMENTS**

H. 3241 -- Reps. Owens, Stringer, G.R. Smith, Harrison, Daning, Hamilton, Bingham, Long, Henderson, Atwater, Lucas, Clemmons, Cooper, Horne, Simrill, D.C. Moss, Sandifer, Harrell, Erickson, Norman, Barfield and Loftis: A BILL TO AMEND CHAPTER 40, TITLE 59 OF THE 1976 CODE RELATED TO CHARTER SCHOOLS, TO PROVIDE FOR AMENDED DEFINITIONS, SPONSORSHIP, APPLICATION AND CONVERSION PROCEDURES, POWERS, DUTIES, REGULATIONS, ENROLLMENT LIMITS, LIABILITY, AND RETIREMENT SYSTEM AVAILABILITY FOR CERTAIN EMPLOYEES; AND TO REVISE THE MEMBERSHIPS OF THE CHARTER SCHOOL ADVISORY COMMITTEE AND THE BOARD OF TRUSTEES OF THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL. *(ABBREVIATED TITLE)*

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

Senator MATTHEWS asked unanimous consent to take up Amendment No. 36 up for immediate consideration.

There was no objection.

**Amendment No. 36**

Senator MATTHEWS proposed the following Amendment No. 36 (NBD\12264DG12), which was adopted:

Amend the bill, as and if amended, SECTION 9, page 18, by striking Section 59‑40‑100(A)(2) on lines 12 through 20 and inserting:

/ (2)(a) In addition to the vote requirements required in item (1), if a proposed conversion school has outstanding general obligation bond debt owed on it and that debt is resulting from an ordinance originally authorizing the bonds, and the original authorization was no more than ten years prior to the proposed conversion, and the bonds were specifically issued for the construction or improvement of the proposed conversion school, the school may be converted into a charter school only upon a majority vote of the local school board of trustees.

(b) In addition to the vote requirements required in item (1), if a proposed conversion school has outstanding general obligation bond debt owed on it and that debt is resulting from a referendum originally authorizing the bonds, and the original authorization was no more than ten years prior to the proposed conversion, and the bonds were specifically issued for the construction or improvement of the proposed conversion school, the school may be converted into a charter school only upon a two‑thirds vote of the local school board of trustees. /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

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

**Ayes 26; Nays 16**

**AYES**

Alexander Anderson Courson

Elliott Ford Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

Matthews McGill Nicholson

O'Dell Pinckney Rankin

Reese Scott Setzler

Sheheen Williams

**Total--26**

**NAYS**

Bright Bryant Campbell

Campsen Cleary Davis

Fair Gregory Grooms

*Martin, Shane* Massey Peeler

Rose Ryberg Shoopman

Verdin

**Total--16**

The amendment was adopted.

On motion of Senator MATTHEWS, with unanimous consent, Amendment No. 25 (NBD\12232DG12), previously printed and carried over, was withdrawn.

**Amendment No. 32**

On motion of Senator CAMPSEN, with unanimous consent, Amendment No. 32 (DKA\4022SD12), previously printed and carried over, was withdrawn.

**Amendment No. 34**

Senator SETZLER proposed the following Amendment No. 34 (NBD\12248DG12), which was adopted:

Amend the bill, as and if amended, by striking Section 59-40-50(B)(9) in its entirety, on page 9, lines 8 through 30, and inserting:

/ (9) ~~elect its~~ consist of a board of directors ~~annually~~ of seven or more individuals with the exact number specified in or fixed in accordance with the bylaws. Members of a board of directors may serve a term of two years, and may serve additional terms. A choice of the membership of the board must take place every two years. Fifty percent of the members of the board as specified by the bylaws must be individuals who have a background in K‑12 education or in business, and the bylaws of the charter school also must provide for the manner of selection of these members. In addition, at least fifty percent of the members of the board as specified by the bylaws must be elected by the employees and the parents or guardians of students enrolled in the charter school. Parents or guardians shall have one vote for each student enrolled in the charter school. All members must be residents of the State of South Carolina. ~~All employees of the charter school and all parents or guardians of students enrolled in the charter school are eligible to participate in the election. Parents or guardians of a student shall have one vote for each student enrolled in the charter school.~~ A person who has been convicted of a felony must not be elected to a board of directors. If the board of directors consists of an odd number of members, the extra member must be an individual who has a background in K‑12 education or in business; /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

**Amendment No. 35**

Senators CAMPSEN, SETZLER and MATTHEWS proposed the following amendment (NBD\12255DG12), which was adopted:

Amend the bill, as and if amended, page 24, Section 59‑40‑140 of the 1976 Code, as contained in SECTION 11, by adding after line 4 a new subsection to read:

/ (L) Notwithstanding the above provisions of this section, this subsection applies to converted charter schools that converted into a charter school after the effective date of this act. For purposes of computing the funding for any year to be provided a converted charter school under the provisions of this section, the computations required shall be made as provided in this section based on the previous year’s revenues, expenditures, and other applicable factors pertaining to that particular converted charter school, and also then shall be made as provided in this section for the year immediately preceding the previous year based on the revenues, expenditures, and other applicable factors for that year pertaining to that particular converted charter school. The funding of the converted charter school for the initial year shall be the average of the weighted per pupil unit funding computed for these two prior years, and funding for the converted charter school after the initial year shall be provided by the school district in the same manner as regular public schools in the district. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

**Amendment No. 37**

Senator MALLOY proposed the following Amendment No. 37 (3241MW2), which was adopted:

Amend the bill, as and if amended, by striking Section 59-40-50(8), beginning on page 8, line 38, and ending on page 9, line 7, and inserting:

/ (8) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to the school; ~~however~~, a charter school may give enrollment priority to a sibling of a pupil ~~already~~ currently enrolled ~~or previously enrolled~~, and attending, or who, within the last six years, attended the school for at least one complete academic year. A charter school also may give priority to children of a charter school employee that has been employed at the school for at least one year, and children of ~~the~~ a charter committee member, if ~~such~~ priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school; /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

**Amendment No. 33**

Senator BRYANT proposed the following Amendment No. 33 (3241R016.KLB), which was adopted:

Amend the bill, as and if amended, page 10, by striking lines 19 - 26 and inserting:

/ (b) A charter school student is eligible to compete for, and if selected, participate in any extracurricular activities not offered by the student’s charter school which are offered at the resident public school he would otherwise attend. A charter school student is eligible to compete for, and if selected, participate in an activity governed by the South Carolina High School League offered at the resident public school he would otherwise attend if the league governed activity is not offered at the student’s charter school. /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

The amendment was adopted.

**Amendment No. 10**

On motion of Senator LEVENTIS, with unanimous consent, Amendment No. 10 (DKA\3889SD12), previously printed and carried over, was withdrawn.

**Amendment No. 38**

Senator MALLOY proposed the following Amendment No. 38 (NBD\12254DG12), which was adopted:

Amend the bill, as and if amended, by striking Section 59‑40‑50(8), beginning on page 8, line 38, and ending on page 9, line 7, and inserting:

/ (8) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to the school; ~~however,~~ a charter school may give enrollment priority to a sibling of a pupil ~~already~~ currently enrolled ~~or previously enrolled,~~ and attending, or who, within the last six years, attended the school for at least one complete academic year. A charter school also may give priority to children of a charter school employee that has been employed at the school for at least one year~~,~~ and children of ~~the~~ a charter committee member that has been a member of the committee for at least one year, if ~~such~~ priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school; /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question then was the third reading of the Bill.

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

**Ayes 39; Nays 2**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Davis Elliott

Fair Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Verdin Williams

**Total--39**

**NAYS**

Ford Leventis

**Total--2**

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**MOTION ADOPTED**

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Sandra Cato Sawyer, 62, of Ridge Spring, S.C.

**ADJOURNMENT**

At 4:33 P.M., on motion of Senator LARRY MARTIN, the Senate adjourned to meet tomorrow at 11:00 A.M.

**Recorded Vote**

Senator BRIGHT desired to be recorded as voting against adjournment.

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