**Thursday, May 2, 2013**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

God said to Abram:

“ ‘I will make you into a great nation and I will bless you; I will make your name great and you will be a blessing’.”

(Genesis 12:2)

Together may we bow in prayer:

Dearest Lord, we know full well how Abraham and his people were blessed through Your grace and Your mercy. We are also, of course, acutely aware of Your great blessings upon this Nation we all love, as well as upon our beloved State of South Carolina. We pray, O God, that You will enrich us all through the dedicated labor of the Senators who serve here. May they continually sense the power of Your blessing as You guide them along their way. And may their devotion to all of the people of South Carolina inspire every one of us. This we pray in Your loving name, O Lord.

Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointment**

Initial Appointment, Director of Employment and Workforce, with term coterminous with Governor

Cheryl Stanton, 410 West 24th Street #6-K, New York, NY 10011

Referred to the Committee on Labor, Commerce and Industry.

**REGULATIONS RECEIVED**

The following were received and referred to the appropriate committees for consideration:

Document No. 4344

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

SUBJECT: Adjudication of Misconduct Allegations (Contested Case Hearing Process)

Received by Lieutenant Governor May 1, 2013

Referred to Judiciary Committee

Legislative Review Expiration April 7, 2014

Document No. 4345

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

SUBJECT: Adjudication of Misconduct Allegations (Reporting of Misconduct by Law Enforcement Officers)

Received by Lieutenant Governor May 1, 2013

Referred to Judiciary Committee

Legislative Review Expiration April 7, 2014

Document No. 4347

Agency: South Carolina Criminal Justice Academy

Chapter: 38

Statutory Authority: 1976 Code Sections 23-23-10 et seq. and 23-47-20(C)(15)

SUBJECT: Law Enforcement Officer and E-911 Officer Training & Certification

Received by Lieutenant Governor May 1, 2013

Referred to Judiciary Committee

Legislative Review Expiration April 7, 2014

Document No. 4368

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Section 23-47-20(C)(15)

SUBJECT: Authority of Director

Received by Lieutenant Governor May 1, 2013

Referred to Judiciary Committee

Legislative Review Expiration April 7, 2014

Document No. 4369

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Section 23-47-20(C)(15)

SUBJECT: Allow E-911 Operators One Year to Attend Training at the Academy

Received by Lieutenant Governor May 1, 2013

Referred to Judiciary Committee

Legislative Review Expiration April 7, 2014

Document No. 4370

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Section 23-47-20(C)(15)

SUBJECT: Requirement of Good Character (E-911 Operators)

Received by Lieutenant Governor May 1, 2013

Referred to Judiciary Committee

Legislative Review Expiration April 7, 2014

Document No. 4372

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Section 23-47-20(C)(15)

SUBJECT: Certification

Received by Lieutenant Governor May 1, 2013

Referred to Judiciary Committee

Legislative Review Expiration April 7, 2014

Document No. 4374

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Section 23-47-20(C)(15)

SUBJECT: Application for Issuance or Re-issuance of Certification

Received by Lieutenant Governor May 1, 2013

Referred to Judiciay Committee

Legislative Review Expiration April 7, 2014

Document No. 4376

Agency: South Carolina Criminal Justice Academy

Chapter: 37

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

SUBJECT: Assignment of Costs for Agency Level Contested Case Hearings

Received by Lieutenant Governor May 1, 2013

Referred to Judiciary Committee

Legislative Review Expiration April 7, 2014

**REGULATION RESUBMITTED**

The following was received:

Document No. 4284

Agency: Clemson University, State Crop Pest Commission

Chapter: 27

Statutory Authority: 1976 Code Section 46-9-40

SUBJECT: Limited Herbicide Applicators License

Received by Lieutenant Governor May 2, 2013

Referred to Agriculture and Natural Resources Committee

Legislative Review Expiration April 8, 2014

Received by Lieutenant Governor and Speaker May 8, 2012

Withdrawn due to end of two-year session June 8, 2012

Resubmitted with no substantive changes May 2, 2013

**Message from the House**

Columbia, S.C., May 2, 2013

Mr. President and Senators:

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

H. 3560 -- Reps. Tallon, Harrell, Quinn, Stavrinakis, Patrick, Allison, McCoy, Pitts, Taylor, H.A. Crawford, Simrill, J.R. Smith, Crosby, Brannon, V.S. Moss, G.R. Smith, Henderson, Delleney, Cole, McEachern, Barfield, Ridgeway, Stringer, Nanney, R.L. Brown, Wood, Daning, Erickson, Clemmons, Powers Norrell, Funderburk, Mitchell, Merrill, Kennedy, D.C. Moss, Gagnon, Bannister, Atwater, Rivers, Owens, Bingham, Forrester, Ballentine, Toole, Hixon, Spires, Huggins, Lucas, Horne, Putnam, Weeks, M.S. McLeod and Anderson: A BILL TO AMEND SECTION 16‑23‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO, AMONG OTHER THINGS, INDIVIDUALS WHO ARE PROHIBITED FROM POSSESSING OR ACQUIRING A HANDGUN, SO AS TO ALSO PROHIBIT A PERSON ADJUDICATED MENTALLY INCAPACITATED OR COMMITTED TO A MENTAL INSTITUTION FROM POSSESSING OR ACQUIRING A HANDGUN; TO AMEND SECTION 44‑22‑100, RELATING TO THE CONFIDENTIALITY OF MENTAL HEALTH COMMITMENT AND TREATMENT RECORDS, SO AS TO AUTHORIZE REPORTING INFORMATION IN THESE RECORDS TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) TO BE UTILIZED IN DETERMINING IF A PERSON IS DISQUALIFIED FROM PURCHASING A FIREARM; AND BY ADDING ARTICLE 10, CHAPTER 31, TITLE 23 SO AS TO ESTABLISH A CONFIDENTIAL PROCESS FOR COMPILING AND TRANSMITTING INFORMATION ON PERSONS WHO HAVE BEEN ADJUDICATED MENTALLY INCAPACITATED OR COMMITTED TO A MENTAL INSTITUTION, THEREBY BEING DISQUALIFIED FROM POSSESSING OR ACQUIRING A HANDGUN AND TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION (SLED) TO TRANSMIT THIS INFORMATION TO NICS; TO REQUIRE SLED TO CROSS CHECK THE NAMES SENT TO NICS WITH SLED’S DATABASE FOR CONCEALED WEAPONS PERMITS TO ASCERTAIN IF ANY PERMITS MUST BE REVOKED; AND TO ESTABLISH A JUDICIAL PROCESS FOR PERSONS PROHIBITED FROM POSSESSING FIREARMS, DUE SOLELY TO AN ADJUDICATION AS MENTALLY INCAPACITATED OR COMMITMENT TO A MENTAL INSTITUTION, TO OBTAIN REMOVAL OF THE DISQUALIFICATIONS THAT PROHIBITED THEM FROM POSSESSING FIREARMS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 2, 2013, at 12:05 P.M. and the following Acts and Joint Resolutions were ratified:

(R28, S. 10) -- Senators L. Martin and Fair: A JOINT RESOLUTION TO AUTHORIZE SCHOOL TRUSTEES OF A SCHOOL DISTRICT, IN FISCAL YEAR 2012‑2013, TO SELL OR LEASE SCHOOL PROPERTY, REAL OR PERSONAL, IN THE SCHOOL DISTRICT AT ANY TIME THEY DEEM IT EXPEDIENT TO DO SO AND APPLY THE PROCEEDS OF THE SALE OR LEASE TO THE SCHOOL FUND OF THE DISTRICT.

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(R29, S. 163) -- Senators Campbell, McGill, O’Dell, Cleary, Ford and Alexander: AN ACT TO AMEND SECTION 12‑62‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REBATE TO A MOTION PICTURE PRODUCTION COMPANY OF CERTAIN SOUTH CAROLINA PAYROLL, SO AS TO PROVIDE THAT THE REBATE FOR A QUALIFYING MOTION PICTURE COMPANY MAY NOT EXCEED TWENTY PERCENT OF THE TOTAL AGGREGATE PAYROLL FOR PERSONS SUBJECT TO SOUTH CAROLINA INCOME TAX WITHHOLDINGS AND MAY NOT EXCEED TWENTY‑FIVE PERCENT FOR RESIDENTS OF SOUTH CAROLINA; TO AMEND SECTION 12‑62‑60, AS AMENDED, RELATING TO THE REBATE OF CERTAIN EXPENDITURES OF A MOTION PICTURE PRODUCTION COMPANY, SO AS TO PROVIDE THAT THE DEPARTMENT OF PARKS, RECREATION AND TOURISM MAY REBATE UP TO THIRTY PERCENT OF THE EXPENDITURES IN SOUTH CAROLINA IF THERE IS A MINIMUM IN‑STATE EXPENDITURE OF ONE MILLION DOLLARS; AND BY ADDING SECTION 12‑62‑95 SO AS TO PROVIDE THAT THE PROVISIONS OF THE SOUTH CAROLINA MOTION PICTURE INCENTIVE ACT DO NOT APPLY IF THE MOTION PICTURE OR TELEVISION PRODUCTION THAT IS MADE, IN WHOLE OR IN PART, IN SOUTH CAROLINA IS FOUND TO CONTAIN SCENES THE AVERAGE PERSON, APPLYING CONTEMPORARY STATE COMMUNITY STANDARDS WOULD FIND THAT THE WORK, TAKEN AS A WHOLE, APPEALS TO THE PRURIENT INTEREST, WHETHER THE WORK DEPICTS OR DESCRIBES, IN A PATENTLY OFFENSIVE WAY, SEXUAL CONDUCT, AND WHETHER THE WORK, TAKEN AS A WHOLE, LACKS SERIOUS LITERARY, ARTISTIC, POLITICAL, OR SCIENTIFIC VALUE.

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(R30, S. 295) -- Senators Fair, Cromer, Verdin and Allen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑11‑2028 SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY; TO REQUIRE A PUBLIC HEARING TO BE CONDUCTED BEFORE TAKING A SUPERMAJORITY VOTE OF ITS GOVERNING BODY AND THE GOVERNING BODY OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6‑11‑2140; TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY; AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A SPECIAL PURPOSE DISTRICT THAT PROVIDES BOTH RECREATIONAL AND AGING SERVICES OR THAT HAS A BOARD APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE COUNTY LEGISLATIVE DELEGATION.

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(R31, H. 3011) -- Reps. Whitmire, Long, Gilliard and Williams: AN ACT TO AMEND SECTION 53‑3‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PURPLE HEART DAY IN SOUTH CAROLINA, SO AS TO MOVE THE DAY FROM THE THIRD SATURDAY IN FEBRUARY TO THE SEVENTH DAY OF AUGUST IN ORDER TO COINCIDE WITH THE DATE GENERAL GEORGE WASHINGTON ORIGINALLY AUTHORIZED THE AWARD.

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(R32, H. 3453) -- Reps. Bingham, Allison, Anthony, Hayes and Atwater: A JOINT RESOLUTION TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2013‑2014 SCHOOL YEAR BY MAY 5, 2013; TO PROVIDE THAT A CONTINUING‑CONTRACT TEACHER WHO IS BEING RECOMMENDED FOR FORMAL EVALUATION THE FOLLOWING SCHOOL YEAR MUST BE NOTIFIED IN WRITING ON OR BEFORE THE DATE THE SCHOOL DISTRICT ISSUES THE WRITTEN OFFER OF EMPLOYMENT OR REEMPLOYMENT; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; AND TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF CERTAIN RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE.

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(R33, H. 3560) -- Reps. Tallon, Harrell, Quinn, Stavrinakis, Patrick, Allison, McCoy, Pitts, Taylor, H.A. Crawford, Simrill, J.R. Smith, Crosby, Brannon, V.S. Moss, G.R. Smith, Henderson, Delleney, Cole, McEachern, Barfield, Ridgeway, Stringer, Nanney, R.L. Brown, Wood, Daning, Erickson, Clemmons, Powers Norrell, Funderburk, Mitchell, Merrill, Kennedy, D.C. Moss, Gagnon, Bannister, Atwater, Rivers, Owens, Bingham, Forrester, Ballentine, Toole, Hixon, Spires, Huggins, Lucas, Horne, Putnam, Weeks, M.S. McLeod and Anderson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 10, CHAPTER 31, TITLE 23 SO AS TO REQUIRE THE JUDICIAL DEPARTMENT AND THE STATE LAW ENFORCEMENT DIVISION TO DEVELOP PROCEDURES FOR THE COLLECTION OF INFORMATION ON INDIVIDUALS WHO HAVE BEEN ADJUDICATED AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION AND FOR THE SUBMISSION OF THIS INFORMATION TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS); TO PROVIDE THAT A PERSON PROHIBITED FROM SHIPPING, TRANSPORTING, POSSESSING, OR RECEIVING A FIREARM OR AMMUNITION PURSUANT TO FEDERAL OR STATE LAW MAY PETITION THE COURT ISSUING THE ORIGINAL ORDER TO REMOVE THE FIREARM AND AMMUNITION PROHIBITION, TO PROVIDE PROCEDURES TO SEEK THIS REMOVAL AND TO APPEAL THE DENIAL OF SUCH RELIEF; TO PROVIDE THAT IF THIS PROHIBITION IS REMOVED, NICS PROMPTLY MUST BE INFORMED OF THE COURT ACTION REMOVING THE PROHIBITION; TO PROVIDE THAT IT IS A FELONY FOR A PERSON WHO HAS BEEN ADJUDICATED AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION TO SHIP, TRANSPORT, POSSESS, OR RECEIVE A FIREARM OR AMMUNITION, TO PROVIDE CRIMINAL PENALTIES, AND TO REQUIRE CONFISCATION OF SUCH FIREARMS AND AMMUNITION, AND TO ESTABLISH PROCEDURES FOR THE RETURN OF FIREARMS AND AMMUNITION TO AN INNOCENT OWNER; TO AMEND SECTION 44‑22‑100, RELATING TO THE CONFIDENTIALITY AND RELEASE OF MENTAL HEALTH COMMITMENT AND TREATMENT RECORDS AND EXCEPTIONS, SO AS TO AUTHORIZE REPORTING INFORMATION IN THESE RECORDS TO (NICS);  AND TO ESTABLISH PROSPECTIVE AND RETROACTIVE REQUIREMENTS FOR COURTS TO SUBMIT MENTAL HEALTH ADJUDICATION AND COMMITMENT INFORMATION.

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(R34, H. 3568) -- Reps. Weeks, Sandifer and Gilliard: AN ACT TO AMEND SECTION 16‑13‑385, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALTERING, TAMPERING WITH, OR BYPASSING ELECTRIC, GAS, OR WATER METERS, SECTION 58‑7‑60, RELATING TO THE UNLAWFUL APPROPRIATION OF GAS, AND SECTION 58‑7‑70, RELATING TO THE WRONGFUL USE OF GAS AND INTERFERENCE WITH GAS METERS, ALL SO AS TO RESTRUCTURE THE PENALTIES AND PROVIDE GRADUATED PENALTIES FOR VIOLATIONS OF THE STATUTES.

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(R35, H. 3624) -- Reps. Herbkersman, Bingham, Merrill, Harrell, Newton and White: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9‑4‑15 SO AS TO PROVIDE THAT THE STATE SHALL DEFEND MEMBERS OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY (PEBA) AGAINST CLAIMS AND SUITS ARISING OUT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES, AND REQUIRE THAT THE STATE INDEMNIFY THESE DIRECTORS FOR ANY LOSS OR JUDGMENT INCURRED BY THEM WITH RESPECT TO SUCH A CLAIM OR SUIT, TO PROVIDE THAT THE STATE SHALL DEFEND PEBA OFFICERS AND MANAGEMENT EMPLOYEES AGAINST CLAIMS AND SUITS ARISING OUT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES UNLESS THE OFFICER OR MANAGEMENT EMPLOYEE WAS ACTING IN BAD FAITH, AND REQUIRE THAT THE STATE INDEMNIFY PEBA OFFICERS AND MANAGEMENT EMPLOYEES FOR ANY LOSS OR JUDGMENT INCURRED BY THEM WITH RESPECT TO SUCH A CLAIM OR SUIT, AND TO EXTEND THE REQUIREMENT TO DEFEND AND INDEMNIFY MEMBERS OF THE BOARD OF DIRECTORS, OFFICERS, AND MANAGEMENT EMPLOYEES OF PEBA TO SUCH PERSONS AFTER LEAVING OFFICE OR EMPLOYMENT WITH PEBA FOR OFFICIAL DUTIES UNDERTAKEN BY THEM WHILE SERVING AS A DIRECTOR, OFFICER, OR MANAGEMENT EMPLOYEE OF PEBA.

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(R36, H. 3973) -- Reps. Bedingfield, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G.A. Brown, R.L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb‑Hunter, Cole, H.A. Crawford, K.R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, 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, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑115 SO AS TO PROVIDE THAT THE MONTH OF SEPTEMBER OF EVERY YEAR IS DESIGNATED AS “GOLDEN-SEPTEMBER CHILDHOOD CANCER AWARENESS MONTH” IN SOUTH CAROLINA.

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**Doctor of the Day**

Senator CAMPSEN introduced Dr. Mark Salley of Columbia, S.C., Doctor of the Day.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 673 -- Senators Nicholson, O'Dell and Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DAVID J. HERRON, CEO AND GENERAL MANAGER OF WEST CAROLINA RURAL TELEPHONE COOPERATIVE IN ABBEVILLE, UPON THE OCCASION OF HIS RETIREMENT AFTER MORE THAN TWENTY-SIX YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 674 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERM AND CONDITIONS FOR THE PUBLIC’S USE OF LAKES AND PONDS OWNED AND LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4341, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 675 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT INSURANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4317, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 676 -- Senator L. Martin: A BILL TO AMEND SECTION 56-3-1910 OF THE 1976 CODE, RELATING TO LICENSE PLATES FOR HANDICAPPED PERSONS, TO PROVIDE FOR THE ISSUANCE OF A “WHEELCHAIR USER” DECAL WITH A LICENSE PLATE ISSUED TO A PERSON CERTIFIED AS PERMANENTLY HANDICAPPED AND WHO USES A WHEELCHAIR OR SIMILAR LOW-POWERED MOTORIZED OR MECHANICALLY PROPELLED VEHICLE DESIGNED SPECIFICALLY FOR USE BY A PERSON WITH A PHYSICAL DISABILITY; TO AMEND SECTION 56-3-1960, RELATING TO HANDICAPPED PARKING PLACARDS, TO PROVIDE THAT THE DEPARTMENT MAY ISSUE A “WHEELCHAIR USER” PLACARD OR DECAL IF THE PERSON USES A WHEELCHAIR OR SIMILAR LOW-POWERED MOTORIZED OR MECHANICALLY PROPELLED VEHICLE DESIGNED SPECIFICALLY FOR USE BY A PERSON WITH A PHYSICAL DISABILITY THAT WILL PERMIT A HOLDER OF A “WHEELCHAIR USER” PLACARD OR DECAL TO PARK IN DESIGNATED “WHEELCHAIR USER ONLY” PARKING SPACES, AND TO PROVIDE FOR THE PRESENTATION AND EXPIRATION OF A “WHEELCHAIR USER” PLACARD OR DECAL; AND TO AMEND CHAPTER 34, TITLE 1, RELATING TO NATIONAL BUILDING CODES, BY ADDING SECTION 1-34-80, TO PROVIDE THAT NOTWITHSTANDING ANY PROVISION TO THE CONTRARY IN THE STATE BUILDING CODE, THE STATE BUILDING CODE SHALL REQUIRE A NUMBER OF ACCESSIBLE PARKING SPACES FOR “WHEELCHAIR USER” PLACARD OR DECAL HOLDERS TO BE PROVIDED FOR ALL BUILDINGS AND FACILITIES SUBJECT TO THE STATE BUILDING CODE, INCLUDING, BUT NOT LIMITED TO, PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES, GOVERNMENT BUILDINGS, AND PRIVATE ENTITIES, AND TO PROVIDE THAT THE SPACES BE APPROPRIATELY SIGNED.

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

S. 677 -- Senators Courson and L. Martin: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA’S 2013 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

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Whereas, each district Teacher of the Year undergoes a rigorous screening and assessment process in order to be selected as the top teacher in that district; and

Whereas, representing all teachers in South Carolina, these teachers act as role models and mentors for their colleagues in their districts; and

Whereas, district Teachers of the Year have hundreds of years of combined teaching experience and possess a proven ability to make a positive difference for their students, schools, and communities; and

Whereas, South Carolina is fortunate to have such dedicated and caring teachers educating and molding South Carolina’s youth; and

Whereas, it is appropriate for the members of the South Carolina General Assembly to pause in their deliberations to honor these teachers, who amply provide their students the opportunity to live complete and successful lives as the future leaders of their communities. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly of the State of South Carolina, by this resolution, congratulate South Carolina’s 2013 district Teachers of the Year on being selected to represent their respective school districts, express appreciation for their dedicated service to children, and wish them continued success in the future.

Be it further resolved that a copy of this resolution be provided to each school district Teacher of the Year.

\* \* \*

Senators COURSON and LARRY MARTIN spoke on the Resolution.

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

S. 678 -- Senators Malloy, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Ford, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Leatherman, Lourie, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR TANYA A. GEE OF RICHLAND COUNTY FOR HER EXCEPTIONAL AND OUTSTANDING CONTRIBUTIONS TO THE STATE AND THE LEGAL PROFESSION, FOR THE PROFOUNDLY POSITIVE IMPACT SHE MAKES ON HER COMMUNITY, AND TO WISH HER SWIFT AND COMPLETE VICTORY IN HER COURAGEOUS QUEST TO OVERCOME CANCER.

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Whereas, the members of the South Carolina Senate are pleased to pause in their deliberations to express their appreciation for the exceptional public service, legal career, and profoundly positive community impact of Tanya Amber Gee; and

Whereas, an attorney for Nexsen Pruett focusing on appellate law and business litigation, Tanya Gee earned an bachelor’s degree in sociology, *magna cum laude*, from Winthrop University in 1999 and a law degree, *cum laude*, from the University of South Carolina School of Law in 2002; and

Whereas, in college, she passionately sought to learn how to use the law as a tool to improve the circumstances of those in need by serving in the York County Public Defender’s Office and volunteering at Tuesday’s Child, an after‑school tutoring center for homeless and at‑risk children; and

Whereas, with the help of two scholarships, Tanya was able to realize her dream of attending law school, where she excelled to become a member of the Order of Wig and Robe, the associate Student Works editor for the *South Carolina Law Review*, the President of the University of South Carolina Law *Pro Bono* Board, and the President of the Public Interest Law Society; and

Whereas, following law school, she embarked on her legal career as law clerk to the Honorable Kaye G. Hearn, Chief Judge of the South Carolina Court of Appeals, who became her mentor and friend. Tanya quickly became known at the court for her steadfast loyalty and dependability, earnest compassion, brilliant legal skills, and unmatched leadership talents, which led to her elevation from law clerk to chief staff attorney and, ultimately, clerk of court, where she masterfully orchestrated the operations of the state’s intermediate appellate court of nine active judges, one retired judge, and their staff, the central staff attorneys’ office, the docketing office, and all support personnel; and

Whereas, a popular lecturer on South Carolina legal trends, Tanya Gee has twice presented the annual civil law update to the judiciary of this State and their law clerks at the annual South Carolina Judicial Conference. She is the author of an appellate guidebook for self‑represented litigants and a member of the “S.C. Access to Justice Commission,” she organized the “Where There’s a Will” project to prepare wills for the indigent, she supports Young Lawyer Legacy of the S.C. Bar Foundation, and she chairs the Kids’ ID Project; and

Whereas, one of only two attorneys ever awarded both the Bronze and Silver Compleat Lawyer Awards from the University of South Carolina Law School Alumni Association, she was also named to *The State* newspaper’s “20 Under 40” class in 2010. The prestigious Liberty Fellowship, an incubator for exemplary leadership in South Carolina, named Tanya as a fellow for its Class of 2012; and

Whereas, Tanya regularly contributes to the blogspot, *Noticing Appeals: Abusing our discretion one post at a time*, about issues including the South Carolina Court of Appeals and Supreme Court, South Carolina legal issues, oral advocacy, and legal writing; and

Whereas, she and her beloved husband, Chris Koon, both recognized as business and community leaders, are by example and conscientious instruction rearing two delightful children, Will and Sabin, to be thoughtful, helpful, kind, and happy; and

Whereas, early in life Tanya learned that she could work hard to achieve dreams that were worthwhile and that she could accept certain things as beyond her control. Now armed with the same positive spirit, boundless optimism, and cheerful humor that has sustained her as she surmounted previous challenges in life, she is waging an inspiring and determined battle against an extremely rare form of cancer, bolstered by an amazing outpouring of support and care from a broad support network of loved ones; and

Whereas, the South Carolina Senate is grateful for the dedication that Tanya Gee has brought to the legal profession in South Carolina and the compassion she has extended to so many in her community, and the members hope to hear of her steadily improving health in the near future. Now, therefore,

Be it resolved by the Senate:

That the members of the South Carolina Senate, by this resolution, recognize and honor Tanya A. Gee of Richland County for her exceptional and outstanding contributions to the State and the legal profession, for the profoundly positive impact she makes on her community, and to wish her swift and complete victory in her courageous quest to overcome cancer.

Be it further resolved that a copy of this resolution be presented to Tanya A. Gee.

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Senators MALLOY, THURMOND and BENNETT spoke on the Resolution.

The Senate Resolution was adopted.

H. 3101 -- Reps. Chumley, Taylor, G. R. Smith, Huggins, Wells, Henderson, Crosby, Atwater, Long, Wood, Toole, Willis, Clemmons, Hardwick, Hardee, Goldfinch, Bedingfield, D. C. Moss, Loftis, Nanney, Pitts, Putnam, V. S. Moss, Owens, Barfield, H. A. Crawford, Stringer, Hamilton, Burns, Tallon, Kennedy, Allison, Murphy, Delleney, Horne, Daning and Brannon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA FREEDOM OF HEALTH CARE PROTECTION ACT” BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO RENDER NULL AND VOID CERTAIN UNCONSTITUTIONAL LAWS ENACTED BY THE CONGRESS OF THE UNITED STATES TAKING CONTROL OVER THE HEALTH INSURANCE INDUSTRY AND MANDATING THAT INDIVIDUALS PURCHASE HEALTH INSURANCE UNDER THREAT OF PENALTY; TO PROHIBIT CERTAIN INDIVIDUALS FROM ENFORCING OR ATTEMPTING TO ENFORCE SUCH UNCONSTITUTIONAL LAWS; AND TO ESTABLISH CRIMINAL PENALTIES AND CIVIL LIABILITY FOR VIOLATING THIS ARTICLE.

**H. 3101--Objection**

Senator SHANE MARTIN asked unanimous consent to make a motion that the Bill be placed on the Calendar without reference.

Senator WILLIAMS objected.

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

H. 3176 -- Reps. Clemmons and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; BY ADDING SECTION 7-13-200 SO AS TO PROVIDE UNIFORM DATES FOR ELECTION EVENTS; BY ADDING SECTION 7-13-1115 SO AS TO REQUIRE A BALLOT TO INDICATE A VOTE CAST FOR A SINGLE CANDIDATE IN ORDER TO BE CERTIFIED AS PART OF THE TOTAL NUMBER OF VOTES CAST; TO AMEND SECTION 7-3-20, AS AMENDED, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; TO AMEND SECTION 7-11-10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, AS AMENDED, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTION 7-13-330, AS AMENDED, RELATING TO THE BALLOT FORM AND INSTRUCTIONS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING ON GENERAL ELECTION BALLOTS; TO AMEND SECTION 7-13-1340, AS AMENDED, RELATING TO REQUIREMENTS FOR VOTE RECORDERS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-320, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD; TO AMEND SECTION 7-15-360, AS AMENDED, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-365, AS AMENDED, RELATING TO BALLOTS AND INSTRUCTIONS FURNISHED BY COUNTY BOARDS OF REGISTRATION, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-370, AS AMENDED, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES AND THE DUTIES OF THE COUNTY REGISTRATION BOARD, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; AND TO REPEAL SECTION 7-15-470 RELATING TO ABSENTEE BALLOTS OTHER THAN PAPER BALLOTS.

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

H. 3366 -- Reps. J. E. Smith, Long, Delleney, Skelton, Huggins, Allison, Toole, Felder, Cobb-Hunter and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-66-75 SO AS TO REQUIRE A HEALTH CARE PROVIDER TO GIVE A PATIENT AN OPPORTUNITY TO AUTHORIZE DISCLOSURE OF CERTAIN INFORMATION TO DESIGNATED FAMILY MEMBERS AND OTHER INDIVIDUALS AND TO AUTHORIZE THE INVOLVEMENT OF THESE FAMILY MEMBERS AND OTHER INDIVIDUALS IN THE TREATMENT OF THE PATIENT; TO SPECIFY WHEN THE OPPORTUNITY TO SIGN AN AUTHORIZATION MUST BE PROVIDED TO A PATIENT AND TO SPECIFY THE CONTENTS OF THE AUTHORIZATION; AND TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR GOOD FAITH DISCLOSURE OF INFORMATION; AND TO AMEND SECTION 44-66-20, AS AMENDED, RELATING TO DEFINITIONS IN THE ADULT HEALTH CARE CONSENT ACT, SO AS TO DEFINE “PATIENT” AND “TREATMENT” AND TO AMEND OTHER DEFINITIONS.

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

H. 3567 -- Rep. Horne: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATE OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO REVISE THE DEFINITION OF “CHILDREN AND ADOLESCENTS IN NEED OF MENTAL HEALTH TREATMENT” IN A RESIDENTIAL TREATMENT FACILITY BY REVISING THE TERM TO INCLUDE YOUNG ADULTS AND BY INCREASING THE ELIGIBILITY AGE FROM UNDER EIGHTEEN TO UNDER TWENTY-ONE.

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

H. 3822 -- Reps. Pitts, Loftis, Funderburk, Hixon, Norman, G. R. Smith, Lowe and Rivers: A BILL TO AMEND SECTION 23-31-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF CONCEALABLE WEAPONS PERMITS, SO AS DELETE THE DEFINITIONS OF “RESIDENT”, “QUALIFIED NONRESIDENT”, “PROOF OF RESIDENCE”, AND “PROOF OF OWNERSHIP OF REAL PROPERTY” AND REVISE THE DEFINITIONS OF “PICTURE IDENTIFICATION”, “PROOF OF TRAINING”, AND “CONCEALABLE WEAPON”; TO AMEND SECTION 23-31-215, AS AMENDED, RELATING TO THE ISSUANCE OF A CONCEALABLE WEAPONS PERMIT, SO AS TO REVISE THE REQUIREMENTS THAT MUST BE MET IN ORDER TO RECEIVE A CONCEALABLE WEAPONS PERMIT, INCREASE THE APPLICATION FEE FOR A PERMIT FOR RESIDENTS OF THE STATE TO ONE HUNDRED DOLLARS AND CREATE A NONRESIDENT APPLICATION FEE OF ONE HUNDRED FIFTY DOLLARS, ALLOW PERMIT APPLICATIONS TO BE SUBMITTED ONLINE WITH SLED, AND TO REVISE THE LIST OF PLACES WHERE A PERSON MAY NOT CARRY A CONCEALABLE WEAPON AND PROVIDE THAT A PERSON MAY NOT CARRY A CONCEALABLE WEAPON INTO A PLACE CLEARLY MARKED WITH A SIGN PROHIBITING THE CARRYING OF A CONCEALABLE WEAPON, PROVIDE THAT A PERMIT IS VALID FOR FIVE YEARS, AND TO REQUIRE SLED TO SEND A RENEWAL NOTICE AT LEAST THIRTY DAYS BEFORE A PERMIT EXPIRES; AND TO REPEAL SECTION 23-31-240 RELATING TO PERSONS ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY.

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

H. 3856 -- Reps. Erickson, M. S. McLeod, Spires, Mitchell, Cobb-Hunter, Long, Murphy, Munnerlyn, Sabb, King, K. R. Crawford, Jefferson, H. A. Crawford, McCoy, Robinson-Simpson, Allison, Horne, W. J. McLeod, McEachern, Dillard, Felder, Gagnon, Henderson, Nanney, Powers Norrell, Sandifer, Stavrinakis and Wood: A BILL TO AMEND SECTION 63-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS FOR EMPLOYMENT IN CHILDCARE FACILITIES, SO AS TO ALSO PROHIBIT SUCH EMPLOYMENT OF A PERSON WHO HAS BEEN CONVICTED OF UNLAWFUL CONDUCT TOWARD A CHILD, CRUELTY TO CHILDREN, OR CHILD ENDANGERMENT.

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

H. 3945 -- Reps. G. M. Smith, Harrell, Lucas, Bannister, Toole, Stringer, Hamilton, Sottile, Barfield, Bingham, Spires, Hardwick, Owens, Hiott, Long, Erickson, Murphy, Horne, Willis, Gagnon, Simrill, Funderburk and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 13, TITLE 8 SO AS TO ESTABLISH THE SOUTH CAROLINA COMMISSION ON ETHICS ENFORCEMENT AND DISCLOSURE, TO PROVIDE FOR ITS POWERS, DUTIES, PROCEDURES, AND JURISDICTION, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; TO REPEAL ARTICLE 3, CHAPTER 13, TITLE 8 RELATING TO THE STATE ETHICS COMMISSION; TO REPEAL ARTICLE 5, CHAPTER 13, TITLE 8 RELATING TO THE HOUSE OF REPRESENTATIVES AND SENATE ETHICS COMMITTEES; TO AMEND SECTION 8-13-100, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8-13-700, AS AMENDED, RELATING TO USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, SO AS TO PROVIDE THAT IF A MEMBER OF THE GENERAL ASSEMBLY DETERMINES THAT HE HAS A CONFLICT OF INTEREST, HE MUST COMPLY WITH CERTAIN REQUIREMENTS BEFORE ABSTAINING FROM ALL VOTES ON THE MATTER, AND TO PROVIDE FOR WHEN A PUBLIC OFFICIAL WHO IS REQUIRED TO RECUSE HIMSELF FROM A MATTER MUST DO SO; TO AMEND SECTION 8-13-740, AS AMENDED, RELATING TO REPRESENTATION OF ANOTHER PERSON BY A PUBLIC OFFICIAL BEFORE A GOVERNMENTAL ENTITY, SO AS TO FURTHER DELINEATE WHAT IS CONSIDERED A CONTESTED CASE WHEN REPRESENTATION BY A MEMBER OF THE GENERAL ASSEMBLY IS PERMITTED; TO AMEND SECTION 8-13-745, RELATING TO PAID REPRESENTATION OF CLIENTS AND CONTRACTING BY A MEMBER OF THE GENERAL ASSEMBLY OR AN ASSOCIATE IN PARTICULAR SITUATIONS, SO AS TO DELETE A PROHIBITION AGAINST CERTAIN CONTRACTS WITH AN ENTITY FUNDED WITH GENERAL FUNDS; TO AMEND SECTION 8-13-1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTEREST, SO AS TO FURTHER PROVIDE FOR THESE CONTENTS; TO AMEND SECTION 8-13-1300, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8-13-1318, RELATING TO ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBTS, SO AS TO REQUIRE ANY SUCH CONTRIBUTIONS TO BE USED FOR THIS PURPOSE ONLY; TO AMEND SECTION 8-13-1338, RELATING TO PERSONS WHO MAY NOT SOLICIT CONTRIBUTIONS, SO AS TO INCLUDE THE HEAD OF ANY STATE AGENCY WHO IS SELECTED BY THE GOVERNOR, THE GENERAL ASSEMBLY, OR AN APPOINTED OR ELECTED BOARD; TO AMEND SECTION 8-13-1340, AS AMENDED, RELATING TO RESTRICTIONS ON CONTRIBUTIONS BY ONE CANDIDATE TO ANOTHER OR THROUGH COMMITTEES CONTROLLED BY A CANDIDATE, SO AS TO DELETE AN EXCEPTION FOR A COMMITTEE CONTROLLED BY A CANDIDATE IF IT IS THE ONLY SUCH COMMITTEE, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 8-13-1510 AND 8-13-1520, BOTH AS AMENDED, RELATING TO PENALTIES FOR ETHICAL AND OTHER VIOLATIONS, AND BY ADDING SECTION 8-13-1530 SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS AND FOR WHERE CERTAIN WILFUL VIOLATIONS MUST BE TRIED; AND TO REPEAL SECTIONS 8-13-710 AND 8-13-715 RELATING TO REPORTING OF PARTICULAR GIFTS AND AUTHORIZED REIMBURSEMENTS FOR SPEAKING ENGAGEMENTS.

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

H. 4014 -- Reps. Mitchell, Cobb-Hunter, King, Dillard, Mack, Anderson, R. L. Brown, Sandifer, Whitmire, Bingham, Bannister, Neal, Finlay, Pitts, Howard, Whipper, Quinn, Hart, Brannon, Edge, K. R. Crawford, Lucas, Harrell and Owens: A BILL TO AMEND SECTION 59-127-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO RECONSTITUTE THE BOARD OF TRUSTEES BY REVISING THE NUMBER OF BOARD MEMBERS AND THE MANNER IN WHICH THEY ARE ELECTED TO ACCOUNT FOR THE NEW SEVENTH CONGRESSIONAL DISTRICT, PROVIDING TWO AT-LARGE SEATS FILLED BY ELECTION OF THE GENERAL ASSEMBLY AND TWO AT-LARGE SEATS FILLED BY APPOINTMENT OF THE GOVERNOR, ONE OF WHOM IS RECOMMENDED BY THE SOUTH CAROLINA STATE NATIONAL ALUMNI ASSOCIATION, TO REVISE OTHER PROVISIONS RELATING TO TERMS OF BOARD MEMBERS, AND TO PROVIDE TRANSITION PROVISIONS.

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

H. 4086 -- Reps. Clyburn, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, 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, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO HONOR AND COMMEND THE GRADUATES OF THE ALLEN UNIVERSITY CLASS OF 1963 UPON THE CELEBRATION OF THEIR GOLDEN ANNIVERSARY OF GRADUATION AND TO CONGRATULATE THEM ON THE MANY SUCCESSES AND ACHIEVEMENTS THEY HAVE EXPERIENCED IN THEIR LIVES AS A RESULT OF THE EXCELLENT EDUCATION THEY RECEIVED FROM ALLEN UNIVERSITY.

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

H. 4087 -- Reps. Hardwick, Clemmons, Barfield, H. A. Crawford, Ryhal, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clyburn, Cobb-Hunter, Cole, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, 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, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR FRED MEDA AS “THE GODFATHER” OF GOLF COURSE SUPERINTENDENTS IN MYRTLE BEACH AND THROUGHOUT SOUTH CAROLINA.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 639 -- Senators McElveen, Campsen and Gregory: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT LEGISLATION AND THE UNITED STATES FISH AND WILDLIFE SERVICE TO PROMULGATE REGULATIONS AUTHORIZING THE STATE OF SOUTH CAROLINA TO MANAGE DOUBLE‑CRESTED CORMORANTS IN THE STATE.

Ordered for consideration tomorrow.

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

S. 641 -- Senator Campsen: A JOINT RESOLUTION TO DEFINE FALCONRY AND MAKE IT LAWFUL TO ENGAGE IN FALCONRY IN SOUTH CAROLINA JANUARY 1, 2014, THROUGH DECEMBER 31, 2014, TO PROVIDE FOR THE REGULATION OF FALCONRY, AND TO PROVIDE A PENALTY FOR VIOLATIONS.

Ordered for consideration tomorrow.

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

S. 643 -- Senators Hayes and Leatherman: A BILL TO AMEND ACT 288 OF 2012, RELATING TO THE 2012‑2013 GENERAL APPROPRIATIONS ACT, SO AS TO REVISE PARAGRAPH 1A.48, SECTION 1A, PART IB, THAT DIRECTS THE DEPARTMENT OF EDUCATION TO TRANSFER CERTAIN FUNDS TO MEET MAINTENANCE OF EFFORT REQUIREMENTS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BY DELETING THE SET MAXIMUM AMOUNT THAT MAY BE TRANSFERRED.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., May 1, 2013

Mr. President and Senators:

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

S. 2 -- Senators Campsen, L. Martin, Cromer, Hayes and Grooms: A BILL TO ESTABLISH THE “EQUAL ACCESS TO THE BALLOT ACT”, BY AMENDING SECTION 8‑13‑1356, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FILING OF A STATEMENT OF ECONOMIC INTERESTS BY A CANDIDATE, TO PROVIDE THAT A CANDIDATE WHO IS NOT A PUBLIC OFFICIAL AND A CANDIDATE WHO IS A PUBLIC OFFICIAL SHALL ELECTRONICALLY FILE OR UPDATE A STATEMENT OF ECONOMIC INTERESTS, AS APPLICABLE, PRIOR TO FILING A STATEMENT OF INTENTION OF CANDIDACY OR NOMINATION FOR PETITION; TO AMEND SECTION 7‑11‑15, TO PROVIDE THAT THE FILING PERIOD RUNS FROM MARCH TWENTY‑THIRD TO MARCH THIRTIETH, TO REQUIRE THAT THE PARTY EXECUTIVE COMMITTEE NOT ACCEPT A STATEMENT OF INTENTION OF CANDIDACY UNLESS THE COMMITTEE VERIFIES THAT THE CANDIDATE FILED AN ELECTRONIC STATEMENT OF ECONOMIC INTEREST, AND TO PROVIDE THAT INTENTIONS OF CANDIDACY ARE TO BE SUBMITTED TO THE APPROPRIATE ELECTION COMMISSION BY NOON ON THE FIFTH DAY AFTER THE FILING DEADLINE.

Very respectfully,

Speaker of the House

Received as information.

**S. 2--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

S. 2 -- Senators Campsen, L. Martin, Cromer, Hayes and Grooms: A BILL TO ESTABLISH THE “EQUAL ACCESS TO THE BALLOT ACT”, BY AMENDING SECTION 8‑13‑1356, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FILING OF A STATEMENT OF ECONOMIC INTERESTS BY A CANDIDATE, TO PROVIDE THAT A CANDIDATE WHO IS NOT A PUBLIC OFFICIAL AND A CANDIDATE WHO IS A PUBLIC OFFICIAL SHALL ELECTRONICALLY FILE OR UPDATE A STATEMENT OF ECONOMIC INTERESTS, AS APPLICABLE, PRIOR TO FILING A STATEMENT OF INTENTION OF CANDIDACY OR NOMINATION FOR PETITION; TO AMEND SECTION 7‑11‑15, TO PROVIDE THAT THE FILING PERIOD RUNS FROM MARCH TWENTY‑THIRD TO MARCH THIRTIETH, TO REQUIRE THAT THE PARTY EXECUTIVE COMMITTEE NOT ACCEPT A STATEMENT OF INTENTION OF CANDIDACY UNLESS THE COMMITTEE VERIFIES THAT THE CANDIDATE FILED AN ELECTRONIC STATEMENT OF ECONOMIC INTEREST, AND TO PROVIDE THAT INTENTIONS OF CANDIDACY ARE TO BE SUBMITTED TO THE APPROPRIATE ELECTION COMMISSION BY NOON ON THE FIFTH DAY AFTER THE FILING DEADLINE.

On motion of Senator CAMPSEN, the Senate insisted upon its amendments to S. 2 and asked for a Committee of Conference.

Whereupon, Senators CAMPSEN, SCOTT and THURMOND 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., April 25, 2013

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. 3638 -- Reps. Harrell, Stavrinakis, Limehouse and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 55‑1‑80 SO AS TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO COUNTY AVIATION COMMISSIONS AND TO PROVIDE THAT IN COUNTIES WITH TWO MUNICIPALITIES WITH A POPULATION IN EXCESS OF FIFTY THOUSAND, THE MAYORS OF THESE MUNICIPALITIES SHALL SERVE, EX OFFICIO, AS MEMBERS OF THE COMMISSION.

Very respectfully,

Speaker of the House

Received as information.

**H. 3638--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 3638 -- Reps. Harrell, Stavrinakis, Limehouse and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 55‑1‑80 SO AS TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO COUNTY AVIATION COMMISSIONS AND TO PROVIDE THAT IN COUNTIES WITH TWO MUNICIPALITIES WITH A POPULATION IN EXCESS OF FIFTY THOUSAND, THE MAYORS OF THESE MUNICIPALITIES SHALL SERVE, EX OFFICIO, AS MEMBERS OF THE COMMISSION.

On motion of Senator GROOMS, the Senate insisted upon its amendments to H. 3638 and asked for a Committee of Conference.

Whereupon, Senators GROOMS, CAMPSEN and FORD were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Motion Adopted**

On motion of Senator PEELER, with unanimous consent, Senators CLEARY, McGILL, ALEXANDER, JACKSON, CAMPBELL and LOURIE were granted leave to attend a subcommittee meeting and were granted leave to be counted in any quorum calls and be granted leave to vote from the balcony.

**ACTING PRESIDENT PRESIDES**

At 11:32 A.M., Senator LARRY MARTIN assumed the Chair.

**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

**PRESIDENT PRESIDES**

At 11:43 A.M., the PRESIDENT assumed the Chair.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following 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:

H. 3829 -- Reps. Bedingfield, Stringer, Allison, Bannister, Chumley, Dillard, Hamilton, Henderson, Loftis, Nanney, Putnam, Robinson‑Simpson, G.R. Smith and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 53, TITLE 59 SO AS TO BE CAPTIONED THE “GREENVILLE TECHNICAL COLLEGE AREA COMMISSION”; TO DESIGNATE SECTIONS 1A, 4, AND 5 OF ACT 743 OF 1962 AS SECTIONS 59‑53‑1500, 59‑53‑1510, AND 59‑53‑1520, RESPECTIVELY, OF ARTICLE 18, CHAPTER 53, TITLE 59; AND TO AMEND ARTICLE 18, CHAPTER 53, TITLE 59, RELATING TO THE MEMBERSHIP, POWERS, AND DUTIES OF THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO RECONSTITUTE THE MEMBERSHIP OF THE COMMISSION AND THE TERMS AND APPOINTING PROCEDURES FOR MEMBERS.

**HOUSE BILL RETURNED**

The following House Bill was read the third time and ordered returned to the House with amendments:

H. 3097 -- Rep. Bales: A BILL TO AMEND CHAPTER 56, TITLE 44 OF THE 1976 CODE, RELATING TO THE DRYCLEANING FACILITY RESTORATION TRUST FUND, SO AS TO, AMONG OTHER THINGS, SPECIFY THE USE AND PURPOSE OF THE FUND, AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO EXPEND MONIES FROM THE FUND FOR ASSESSMENT OF POTENTIAL SITES PRIOR TO OBTAINING EVIDENCE OF CONTAMINATION AT THE SITE, AND CLARIFY WHAT FACILITIES ARE EXCLUDED FROM PARTICIPATING IN THE FUND AND THE EFFECT OF PARTICIPATING IN THE FUND IF A FACILITY IS SEEKING EXEMPTION FROM THE FUND; AND TO DELETE OBSOLETE PROVISIONS, REORGANIZE PROVISIONS, AND MAKE TECHNICAL CORRECTIONS.

**CARRIED OVER**

H. 3540 -- Reps. Harrell, J.E. Smith, Bales, Hosey, Cobb‑Hunter, Bannister, J.R. Smith, Patrick, Brannon, Erickson, Taylor, Huggins, Kennedy, Ballentine, Bernstein, Sellers, Williams, Jefferson, M.S. McLeod, Atwater, Bowers, R.L. Brown, Cole, Douglas, George, Hixon, Long, McCoy, Mitchell, Pitts, Pope, G.R. Smith, Tallon, Wood, Weeks, Knight and Hart: A BILL TO AMEND SECTION 1‑3‑240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE ADJUTANT GENERAL TO THE LIST OF OFFICERS OR ENTITIES THE GOVERNING BOARD OF WHICH MAY BE REMOVED BY THE GOVERNOR ONLY FOR CERTAIN REASONS CONSTITUTING CAUSE; TO AMEND SECTION 25‑1‑320, RELATING TO THE STATE ADJUTANT GENERAL, SO AS TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE 2014 GENERAL ELECTION, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR‑YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY THAT FOLLOWS THE GENERAL ELECTION THAT MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS ACT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO ESTABLISH CERTAIN QUALIFICATIONS FOR THE OFFICE OF ADJUTANT GENERAL; TO AMEND SECTION 25‑1‑340, AS AMENDED, RELATING TO VACANCIES IN THE OFFICE OF ADJUTANT GENERAL, SO AS TO DELETE A REFERENCE TO THE ELIGIBILITY REQUIREMENTS OF CONSTITUTIONAL OFFICERS; AND TO PROVIDE THAT THE ABOVE PROVISIONS ARE EFFECTIVE UPON THE RATIFICATION OF AMENDMENTS TO SECTION 7, ARTICLE VI, AND SECTION 4, ARTICLE XIII OF THE CONSTITUTION OF THIS STATE DELETING THE REQUIREMENT THAT THE STATE ADJUTANT GENERAL BE ELECTED BY THE QUALIFIED ELECTORS OF THIS STATE.

On motion of Senator LARRY MARTIN, the Bill was carried over.

S. 306 -- Senators Campsen and Ford: A BILL TO AMEND SECTION 50‑1‑130 OF THE 1976 CODE, RELATING TO PENALTIES ASSOCIATED WITH MISDEMEANOR OFFENSES CONTAINED IN TITLE 50, TO REVISE THE PENALTIES FOR THESE OFFENSES, AND TO PROVIDE THAT MAGISTRATE’S COURT HAS BOTH ORIGINAL AND CONCURRENT JURISDICTION OVER MISDEMEANOR OFFENSES.

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

**OBJECTION**

S. 142 -- Senator Malloy: 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.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the Amendment No. 3 (JUD0142.004) proposed by Senators HUTTO and PEELER and previously printed in the Journal of May 1, 2013.

Senator MALLOY spoke on the amendment.

Senator PEELER explained the amendment.

Senator MALLOY moved to lay the amendment on the table.

The Senate refused to table the amendment. The question then was the adoption of the amendment.

Senator MALLOY objected to further consideration of the Bill.

**ADJOURNMENT**

At 12:39 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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