**Wednesday, March 26, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 12:15 P.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator LARRY MARTIN. A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah sets forth an indictment that surely applies to our own day and time: “All we like sheep have gone astray; we have all turned to our own way.” (Isaiah 53:6a)

Let us pray:

Gracious and Ever-loving God, we know in our hearts that You know how desperately the world around us cries out for wise, caring and compassionate leadership. A people who often drift and who sometimes wander require leaders who possess a keen vision for what is best, leaders who are willing to speak out for justice, for what is right, leaders who set the pace by following Your will. Empower each of these Senators, Lord, to stand courageously for those things which ought to matter most to every South Carolinian in this day and time, helping to move our State forward. And to You, O God, be the ultimate glory. Amen.

**Committee to Escort**

The PRESIDENT appointed Senators LEATHERMAN, SETZLER, ALEXANDER, MALLOY, CROMER, JACKSON and PEELER and Representatives McCoy, Sottile, Gilliard, Cobb-Hunter to escort the Honorable Lieutenant Governor and members of the Senate to the House of Representatives for the Joint Assembly.

**RECESS**

At 12:25 P.M., on motion of Senator COURSON, the Senate receded from business for the purpose of attending the Joint Assembly.

S. 822 -- Senators Jackson, Alexander, Courson and Malloy: A CONCURRENT RESOLUTION TO INVITE THE LIEUTENANT GOVERNOR, THE HONORABLE GLENN F. MCCONNELL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE AGING POPULATION IN SOUTH CAROLINA AT 12:30 P.M. ON MARCH 26, 2014.

**Address by the Lieutenant Governor**

**State of the Aging Population in South Carolina**

It’s an honor to be here today, and I would like to thank Senators DARRELL JACKSON, THOMAS ALEXANDER, JOHN COURSON and GERALD MALLOY for introducing the Resolution inviting me to speak to you about the face of aging in South Carolina.

Just a little over two years ago, when I assumed the office of Lieutenant Governor, I never imagined there was a greater purpose for what had transpired. But today, I stand before you as chief advocate for seniors and adults with disabilities in South Carolina, eager to share some of what I have learned, saddened to think of what may be in store for our aging population if we fail to address certain challenges, but hopeful that solutions are attainable because of the willingness of many of you, as well as countless other people across this State, who are ready to answer the call and assist where needed.

I want to take a moment to recognize some very special people in the balcony today, who have been by my side since the first day, helping me understand the tremendous challenges we are facing and providing me information and support, as I tackled my learning curve and set out to reverse our course. They represent AARP, the Alzheimer’s Association, the Silver Haired Legislature, the Adult Day Care Association, and the South Carolina Respite Coalition. If you are with any of these groups, will you please stand and be recognized?

Thank you so much for being here today.

What I learned most from folks like these is that the time has come for us to address aging and disability issues based on reality rather than political rhetoric; it’s time for us to realize that these populations are oftentimes equally as vulnerable as children. If you are like me, it’s hard to accept that you begin to age the moment you are born. It’s even more difficult to accept that as we all age, statistically, most of us will be faced at some point with sudden illness, chronic illness, loss of mobility, loss of mental acuity, or Alzheimer’s. And while we are living longer, the chances of becoming unable to maintain our independence or outliving our resources are also multiplying.

After spending almost 32 years in the Senate and serving on the Judiciary Committee, my knowledge of aging programs or related issues was somewhat limited and mostly confined to line items in the Appropriations Bill. But, the day after taking the office of Lieutenant Governor, this all changed, as I was briefed on all-new territory: the Office on Aging. I’ll have to admit that I was stunned at the enormity of what I saw and the challenge before me. I was told of:

* seniors struggling all across South Carolina;
* a waiting list of an estimated 8,000 people who could quickly be identified and were in need of services from the Office on Aging;
* previous budgets that had been slashed; and
* no government leader cheerleading and bringing forward the effort to give them a better opportunity in South Carolina.

When I found out the following statistics, I learned there was -- what some have coined -- a “grey tsunami” heading our way -- a possible human calamity if proper action was not taken. With over 900,000 seniors currently in South Carolina, we are scheduled, over the next 15 years, to double to almost two million, according to the U.S. Census. The State is without a strategic plan to deal with aging issues. The baby boomers are coming, and the issue of aging is the central public health challenge of our lifetime.

a. One in eleven seniors is at risk of hunger.

b. One-third of seniors live on Social Security alone.

c. Fifty-one percent of those over age 55 have

$0 to $50,000 saved for retirement.

d. Over 80,000 seniors in South Carolina

suffer with Alzheimer’s or a related disorder.

e. There are too few senior centers to assist our aging

population.

f. Senior transportation is sadly lacking,

in decline, and nonexistent in some areas.

g. Over 25 percent of those 85 or older require

institutional care.

h. 11.5% of seniors age 60 or above live in poverty.

i. South Carolina has 1.3 million people set to retire

soon.

What became immediately apparent from the reports and statistics I’ve read is that programs that keep people in their homes as long as possible, such as those offered through the Office on Aging, are keys to avoiding the oncoming collision headed straight at us.

You may ask why programs through the Office on Aging are so important, and this is the reason: we’re not Medicaid. In fact, we keep people off of Medicaid. We’re about keeping people independent and in their homes, where they wish to live. The Office on Aging provides a bridge for these folks. We give them the opportunity to mature and age in place with grace and dignity. Furthermore, adults with disabilities are able to live with their families in comfortable surroundings instead of institutional settings. Secondly, our program is cost-effective. By complementing -- not duplicating -- existing programs in the community, we are able to efficiently use resources to help maximize available dollars. We are up to 40 times cheaper than if one of these individuals migrates to a Medicaid nursing bed. And, for anyone of you out there who thinks Medicaid is just for the poor, you’re mistaken. You or someone you know just might be one major illness away from it. At $80,000 to $110,000 a year for a private-pay skilled nursing facility, it’s easy to see how quickly people can go through their assets and the equity in their homes, finding themselves in need of Medicaid. But, if we have the opportunity, through our programs at approximately $1,400 per person per year, to extend a helping hand -- whether it be a meal a day or a visit to a supermarket or doctor -- to keep people out of those expensive Medicaid nursing beds, which cost the taxpayers over $52,000 a year, we can make a big difference. In essence, a program that allows us to be proactive is almost 40 times cheaper than the alternative. One way or another, we are going to pay for it. So why not be smart and do it on the front end by being proactive?

Yet, with all of these challenges before us, the State continues to dump hundreds of millions more into the rigid, unchanging Medicaid system which, each year, needs more and more money. At the same time, the State has cut its contributions for home and community-based programs which slow down the migration by the non-Medicaid seniors to the Medicaid beds. Funding home and community-based programs would have resulted in cost savings while giving seniors what they want -- the ability to stay home and independently age in place.

Our first attempt to secure the funding necessary to serve the estimated 8,000 people on our waiting list was disappointing. So, I realized I needed a new tactic to change the big ark’s direction. Albert Einstein made it very clear when he said that if you keep doing the same thing and expect a different result, that’s insanity. I also realized that if I was going to be successful in convincing you of the coming challenge, I needed to understand it first-hand, not just read about it in a stack of faceless reports.

So I set out on what we called our “Face of Aging” tour, visiting each of the ten aging services areas across the State. During the tour, we stopped by nursing homes; residential care facilities; senior centers; and OSS facilities, which are essentially group homes that operate on minimal funds provided by South Carolina’s Optional State Supplement program. I also went on meal deliveries to persons who are unable to get to meal sites and held public forums for persons to give us suggestions or talk about problems. Along the way, I was fortunate enough to meet many people who were passionate about what we were doing and kind enough to share some of their personal stories with us.

Let me tell you about some of these folks: In a small rural community, an 84-year-old grandfather, with a heart condition, was caring for his 10-year-old grandson, because his own son had died from a heart attack. He was out in the yard trying to push a lawnmower with one hand while holding onto a walker with the other. Our meal program helps keep this family unit together and from requiring more expensive care and foster care. A photographer from the local newspaper who was accompanying us that day was so touched by this man, he promised to have members of his church come and help take care of the yard.

One of the most memorable seniors I encountered was a woman who had lost her legs to diabetes. She said that the meals we delivered enabled her to grow strong enough to pull herself out of bed and into a wheelchair so she could live again.

As I was waiting on the elevator in a senior apartment complex in the Upstate, I spoke to a gentleman in a wheelchair. He asked what we were doing, and I told him I was visiting people who were on our home delivered meal route. He thanked me, and said that because of the van we provide, he can go to dialysis three times a week and still live in his apartment. He gets up at 4:00 a.m. on those days and calls every other senior who rides the van to make sure they don’t miss it.

In another area of the State I visited -- and Representative Carl Anderson was with me -- we met a 70-year-old man, who was caring for his wife, who is partially paralyzed from a stroke, and his 94-year-old mother. This husband and son was himself struggling with a heart problem and his doctor recommends that they all need institutional care. Although he owns his home, he cannot afford the cost of nursing home care. More importantly, his family wants to remain together in their home as long as possible, and Office on Aging programs help him do just that -- and also save the taxpayers over $100,000 a year.

Over in the Pee Dee, there is an 85-year-old widow who lives with her 17-year-old cat. She worked as a nurse at the local hospital. As we walked up her driveway, we noticed an Oldsmobile Ciera parked at the end of the driveway, where it had been sitting for 11 years, since she was last able to drive it. All four tires on the car were flat and had rotted. From her demeanor and gentle smile, you could tell she was once prim and proper and actively involved in the community. She now lives in an aging physical environment which shows the reflections of a livelier and more prosperous life, but the grey veil of aging has descended over it. A senior volunteer drops meals by. He opens the mailbox, so when she sees it closed, she knows the mail has come. She can barely walk. The volunteer is her connection to the outside world. A glance inside indicates no other visitors have come, but with all of that, she still wants to stay at home and can do so because of the meals that are delivered to her.

And lastly -- this is the story that speaks volumes about how fragile middle-income South Carolina is becoming -- an 80-year-old Korean war veteran and retired nurse -- she said she thought she had saved enough money to retire and live comfortably for the rest of her life. And then, in 1997, unexpectedly, she suffered a stroke that blinded her and left her very vulnerable without 24-hour care. She went quickly through her money, was exploited by caregivers, and now she depends on our program in order to live independently at home.

For every face I’ve described to you, there are hundreds or even thousands like them who need services. They may be your neighbors, your fellow church members, your mothers, or your fathers. One day, there is even the possibility that any of us in this room may need a meal a day, a helping hand to a doctor, or help traveling to a life-saving machine to maintain our health and stay in our home. It only takes one accident, a brief serious illness, or frailties from progressive aging to change our lives that will quickly place us into a senior’s struggle. Instead of dreaming about owning a home, we are part of the aging population’s dream to stay in one’s home. It is about existence as an independent and self-sustaining South Carolinian. Each one of these stories illustrates how truly vulnerable we all are as human beings -- and how quickly we can deteriorate and become another Medicaid statistic.

When we returned from the tour, I knew that in order to strengthen the aging network and prepare for an increased demand on the Office on Aging, we needed to do some housecleaning. We reviewed our vision and mission and adopted goals and objectives that would raise the bar in our organization. We revised our policies and procedures, and are working hard to streamline and modernize our processes.

But beefing up an agency is just the beginning.

The reality is that there is never going to be enough public funding for aging programs; in fact, it’s drying up. I realized that we are going to have to get creative if we are going to succeed in creating the safety net that seniors need and deserve.

Census figures predict that our aging population will double over the next 15 years, and by the year 2030, approximately 44% of our state’s population will be over the age of 50. Staying active, eating well, having regular medical and dental check-ups, and socializing are keys to staying healthy and independent as we age.

One of the most important things we need to recognize is that, in terms of dealing with the unique needs and challenges of seniors and adults with disabilities, one size does not fill all. Policies and services need more flexibility, and in developing new policies and strategies in the future, we need to be proactive, not reactive. We need to spend the next five years getting a plan in place that will provide adequate and affordable health care and long-term care for our state’s senior population.

Failure to anticipate what lies ahead will cause both a human tragedy and a budget calamity. Look, for instance, at our Medicaid system, which is unsustainable as currently constructed, and once you qualify, the State must provide care. It defies logic and common sense to do nothing to prevent people from slipping into an expensive Medicaid system, when less expensive preventative health care, nutrition, and other services will keep many people independent and able to support themselves.

In order to develop any plan, we must first evaluate and assess what’s out there. My observation is that:

(1) Transportation for seniors is hard to come by or in many places, non-existent.

(2) There are not enough affordable, alternative options for care, such as day care centers, in-home care, or assisted living.

(3) Medicaid beds and reimbursements are problematic, and OSS facilities, for the most part, have been starved into declining condition. If these facilities go out of existence, these clients, many of whom have cognitive deficiencies, have nowhere to go. The public will pay through law enforcement and emergency room visits, and it then becomes everyone’s problem.

(4) There are not enough senior centers. Senior centers are the front gates to keeping seniors active and healthy, and they can provide information and access to other services. However, in some places, there is little or no activity in many of these centers. Some were quiet as funeral homes after visiting hours. There is no overall consistency in programs or activities, but let me stop here and tell you about a gentleman I met at an active senior center. The Office on Aging had given this particular center some bingo money to add a kitchen. Just before I left, a man tapped me on the arm and said, “May I speak with you a minute?” I responded, “Certainly.” He said, “You’ve released me from the four walls of horror.” I thought, “What?” He then pulled his dark glasses down from his eyes, and I could see he was blind. He told me he wanted to thank me for the new kitchen and the luncheon program. He said that he used to sit in his house day in and day out, listening to the creaking and squeaking of his house. He turned his television up loud to mask the sounds of the house and the loneliness. He said that now, he looks forward to getting on a van that brings him to the senior center, where people talk to him, laugh with him, and he is no longer lonely as he has lunch.

(5) Services are disjointed and not easy to access.

(6) Best practices are not shared. There are people all over the State doing remarkable things, but these ideas are not being duplicated and transported to other places in the State.

(7) There is no one-stop place to go to get information or initiate services.

Furthermore, we need to take a closer look at the importance of caregiving and caregivers. In our State, we have both professional caregivers and family caregivers. Both are equally vital to the caregiving network, but I especially want to highlight family caregivers, who save the taxpayers millions of dollars annually by providing unpaid in-home care for persons with Alzheimer’s, other dementia and aging issues, or disabilities. In fact, our State has over 770,000 family caregivers who provide nearly 737 million hours of unpaid care and save our State an estimated $7.4 billion each year. According to a recent AARP study in South Carolina, 55% of South Carolinians are caring for an elderly family member or loved one or have in the past, and 53% say it’s very likely they’ll become caregivers in the next five years. With our senior population doubling, more and more families scattered across the country, and a shrinking pool of available family caregivers, who is going to provide this care? For an unpaid caregiver, a little break from the 24/7 responsibilities can sometimes mean the difference between life or death for the one who provides the care. Again, it’s amazing how a little help or a little relief can give someone the energy and renewed spirit to continue to provide the necessary care to someone living with disabilities or age-related issues. The consequences of failing to fund respite services will only cause our family caregivers to burn out in addition to the waiting lists for other services to grow.

Solutions for seniors come not only with funding cost-saving measures, but also with tackling our state’s regulatory environment. Fees and laws are being created in this State and passed on to the public through regulations promulgated by bureaucrats without a single vote of the General Assembly. In fact, some of the regulations I have reviewed recently are attempting to exempt the agency from the law, which is a clear violation of our state’s constitution. On the “Face of Aging” tour, I was able to see many types of over and under-regulation first-hand. While regulations can be a good tool to protect the public if properly used, they can also have dangerous effects if their intentions are power-centered rather than people-centered. I want to take a minute to share a few examples of my findings with you:

(1) A facility was licensed without a working kitchen or a refrigerator. Fast food was purchased for residents and stored in coolers.

(2) In the Upstate, at an OSS facility, they had a wooden wheelchair ramp on the side of the building that all of the residents enjoyed using but several of the boards were loose. A church volunteered the carpentry work, and a company donated the lumber. The regulators came in and said that they could not repair the ramp. They could either leave it as it was, tear it down, or they would shut them down, even though there were sufficient exits elsewhere.

(3) A residential care facility was cited for a resident in an apartment having a can of hairspray in a medicine cabinet -- even though the facility is not a skilled nursing home.

(4) A nursing home was required to build sidewalks around all four walls of the facility, even though no one in the facility used certain doors. The owner of the facility told me he could not afford to give employees a raise because he was forced to spend tens of thousands of dollars on a sidewalk to nowhere -- and then, he had to pay for a dual-lighting system to be installed over the sidewalk.

(5) A swimming pool was attached to skilled care facility. You may think this is a good idea, but the regulators claimed that because the glass was not fire retardant enough, persons from the skilled care unit could not use the pool. Yet, my observation was that the only thing that could burn in the building was the diving board and the beach towels. Ironically, they could put these persons into a van and carry them across town to a wooden building without similar restrictions.

(6) In a locked Alzheimer’s unit, the owner was instructed to install signs over the doors with automatic locks that told the Alzheimer’s residents how to open the door to the outside courtyard. These automatic locks unlocked in the event of fire or emergency and were up to code just a year earlier. On the courtyard gate, which led out to the street, and which also had an automatic lock, the owner was told that he would have to replace the lock with a breakaway padlock. When the owner asked the inspector how the residents were supposed to break the lock, the inspector responded, “Put a hammer out here for them to use.”

(7) And lastly, a owner built a new skilled care nursing home, but wanted to convert the old one into an assisted living facility that was critically needed. He was told that you could not convert the facility to a lesser use without major costly renovations required by new building codes. It just doesn’t make sense that we mothball a perfectly good facility that could be easily and cheaply converted to assisted living.

As you can clearly see, common sense is lacking in our regulatory process. We have some regulators who worship at the altar of the rule instead of the result. We need to sunset all of the regulations, make sure business and stakeholders are well represented on the committees deciding the regs. -- not just during the comment period -- and require a vote of our elected representatives on all regulations before they can go into effect.

I encourage you to take the time to evaluate the regulatory process and ensure that regulations protect but do not drive up the costs to the point where people cannot afford the service or business and facility owners are discouraged from creating or expanding vital services for our aging population.

Evaluating and understanding what is out there and what is needed going forward is a daunting task, but along the way, I was introduced to a non-profit entity I believe can be an important asset to this State. It’s the South Carolina Institute of Medicine and Public Health, and I want to take a moment to introduce the Executive Director, Kester Freeman, and the Director of Operations, Dr. Lee Pearson. This corporation is focused on improving the health status of South Carolinians through work in the areas of policy, prevention, and leadership, and its board of directors includes a distinguished list of college presidents, prominent business leaders, physicians, a former governor, and our own Senator THOMAS ALEXANDER and Representative Joe Neal. They have created a long-term care task force of experts, practitioners, and stakeholders across the State, and their goal is to develop a list of priorities and actionable recommendations to policymakers that promote a greater return on investment and a broad vision for affordable, accessible, and high-quality services enabling older adults and people with disabilities to live with dignity. The chairman of the task force, Mr. Joel Smith, former dean of the USC Moore School of Business and retired president of Bank of America, is here with them, too. Will you all please stand?

I also want to mention that this group has created a fellowship program for members of the General Assembly to learn more about what they do and what challenges lie ahead for South Carolina. This knowledge is our freedom to avoid the stagnation of the past, change the future, and chart a course so we shape the events rather than being shaped by them.

Other valuable resources that can and should be utilized include our state’s research institutions and technical college system. They already possess the knowledge and research capabilities that will provide reliable statistics, best practices, and recommendations so that decisions will be fact driven rather than politically driven. Additionally, they can educate and train healthcare providers, service providers, and caregivers, as well as provide workshops and seminars for the public on the importance of planning and how to evaluate options.

Additionally, grass-roots organizations such as AARP, and the Alzheimer’s Association, are and will continue to be tremendous resources for evaluating, planning, and educating.

And lastly, I want to mention the Office of Aging staff, including our Long Term Care Ombudsmen. I want to take a minute to recognize these state employees who come to work each day striving to make life better for seniors. Will you please stand?

These people on the front lines recognized that change was needed throughout the aging network and have worked hard to upgrade the system so we have tools to evaluate the efficiency and effectiveness of home and community-based services and fashion responses to successfully handle the coming grey tsunami. I am glad to say as a result of the changes that were instituted, for the first time, there is reliable, consistent data that clearly demonstrates the value of home and community-based services. We currently serve 5,066 persons who are deficient in three or more Activities of Daily Living, such as bathing, dressing, eating, toileting, etc., which qualifies them for nursing home care. The cost of a Medicaid nursing home bed is at least $52,000 a year. If these 5,066 clients, who are Medicaid eligible but are currently being served by the Lieutenant Governor’s Office on Aging’s programs, did move to a Medicaid bed, the added cost to the state would be over two hundred sixty million dollars. The cost of serving these 5,066 seniors in their homes is seven million, ninety-two thousand dollars, netting a savings to the taxpayers of over a quarter of a billion dollars per year.

Having the ability to evaluate programs and resources is critical in developing a long-term plan for caring for our vulnerable adults.

As I said before, there will never be enough public money to provide a safety net for seniors. But, one of the most important things I’ve discovered, is that it can be done if we coordinate the available resources throughout the State by building strong public-private partnerships including businesses, non-profits, faith-based organizations, and volunteers.

It all started shortly after I became Lieutenant Governor. One of my staff relayed to me a story she had learned during a meeting at the Office on Aging about a facility where the license had been pulled by DHEC and our Long Term Care Ombudsmen had to immediately relocate the residents. The facility instructed these residents to put all of their meager belongings into giant trash bags that would follow them to their new location. Unfortunately, the residents were loaded on a van and the bags remained at the facility and were subsequently tossed out as trash. Can you imagine what it would be like to have everything you have in the world, remnants of your life, reduced to the size of a trash bag and then carelessly discarded? To add insult to injury, residents like these, moved quickly because of facility shutdown or other emergencies, sometimes must wait for up to two months before their funding makes it to the new facility. When I heard that our office had no means to fund emergency hygiene items and basic essentials and were taking up donations from the staff, I realized we could do better. That’s when I reached out to the Electric Cooperatives of South Carolina, and they responded in a big way. The WIRE Women of the Cooperatives put together emergency relocation bags -- giant rolling duffle bags -- containing shampoo, soap, towels, socks, jackets, blankets, and an empty bag for personal items that we utilize each time we must move a resident to a new facility. How wonderful it is to be able to make that harsh landing to a new facility a little softer. More importantly, these generous women have committed to replenishing this stock of bags yearly. Sadly, we’ve had to use every bag we’ve been given because of numerous closures and emergencies. Members representing the WIRE Women of the Electric Cooperatives across this State are here today. Will you please stand and be recognized?

Another example of creative partnership is Leadership South Carolina. Helen Munnerlyn, their Executive Director is here today, and many members of the Class of 2013 are in the balcony with her and in this body as well. Helen, will you -- and any members of the Class of 2013 here with us today -- please stand?

Leadership South Carolina came forward last year to help us with our mission by adopting “senior hunger” as their class project. They raised over $100,000 for senior hunger, including a donation by Honda of two minivans for rural senior centers.

And you recall that wheelchair ramp I mentioned earlier? Well, Verizon stepped in and donated money to help rebuild the ramp at that OSS facility.

Additionally, in Columbia, SCE&G weatherized a home for a gentleman who had been living in his house without electricity since 2009. A stroke had put him behind with his bills, but because of volunteer linemen, gas journeymen, and the generosity of this company, this man will have heat and hot water and a home that will be more energy efficient. More importantly, because of this gracious help from the community, this gentleman may never need a Medicaid bed. Unfortunately, this particular situation also demonstrates the disconnect in our system. Apparently, this man had been receiving meals and no one ever realized that he did not have electricity. This went unnoticed for over four years! A more thorough assessment of this man’s needs may have prevented unneeded suffering. We’ve changed that; we now require a more thorough needs assessment.

There are many more companies and organizations reaching out to us each week, and I would be remiss if I didn’t mention Duke Energy and their generous contribution toward senior outreach and education.

In addition to these fine organizations, we also have senior volunteers across the State who are working to help other seniors, whether it’s providing transportation to a doctor or delivering a meal or mentoring children. We have an opportunity to foster wonderful volunteer programs to help fill in the gaps where programs and services are not available, and we have a huge army of retiring seniors with a strong desire to serve where they are needed.

Coordinating resources -- volunteer, faith-based, or otherwise -- can go a long way in matching need to resources and saving precious public dollars for other critical needs. If everyone does a little, no one has to do a lot.

I’ve got one more story I want to share with you about how just a little can mean so much. This is one of my favorites. In the Rock Hill area, meals were being delivered to several shut-ins who weren’t prospering from the nutrition, and when we checked, we found a common denominator -- these seniors lived alone, had no family close by, and had no transportation to a grocery store. They had one companion, a cat or a dog. We discovered they were starving themselves and feeding the meal to their companion. A group of students from a local high school started collecting pet food, so that when the meals were delivered on this route, pet food was also delivered. This practice is now spreading to other areas.

In addition to coordinating resources, any plan for preparing South Carolina for the grey tsunami must include updating our laws to reflect the changing needs of our seniors. With that being said, I encourage you to utilize the Joint Legislative Committee to Study Services, Programs and Facilities for Aging (I refer to it as the Joint Aging Committee) to help you identify, coordinate, and recommend the needed course of action. Senator THOMAS ALEXANDER chairs this committee, and Senators MALLOY and CROMER serve from the Senate, and Representatives Walt McLeod, Skelton and Moss serve from the House.

Transportation for seniors is the number one issue and challenge we have in our State. The Silver Haired Legislature has recognized this for years, and with the help from attorneys with the South Carolina Association for Justice, we have developed a legislative proposal that:

* encourages volunteerism;
* responsibly limits liability while maintaining responsibility for gross negligence for the actions of senior volunteer drivers who, through non-profit entities, transport other seniors; and
* embraces home and community-based services.

I encourage you to support this legislation when it is introduced.

Unfortunately, my time as Lieutenant Governor grows short, but I hope my effect on the result will be long. You should continue to give a serious look at what the future impact of our aging population will have on the state’s probate courts, particularly as it pertains to taking away property and other rights of seniors. Additionally, you need to explore other options to help defray the costs of senior care, such as long-term care insurance.

Most importantly, with a change in our state’s Constitution in 2018, you need to ensure that the Office on Agency maintains a close connection to the public it serves, and I strongly encourage that you consider a restructuring plan that will provide your connection and oversight so that problems can be easily identified and addressed and not manipulated for a political result. At a time when almost half of the state’s population will be over the age of 50, it just makes sense to have an agency easily accessible and dedicated to their unique needs.

And lastly, I would like to mention the importance of education and information. A few months ago, a lady called me, desperate for help. The doctor would not admit her husband to the hospital, and they simply put him back into her car to take home. She couldn’t lift him or care for him. He needed 24-hour care, but she had no idea who to call or where to go for assistance. Although they had a retirement income sufficient to support them frugally in their own home, there was no extra money for this type of situation. This not only demonstrates how fragile middle class South Carolina has become, it also highlights the critical need for a one-stop place to ensure that seniors, families, and caregivers have access to information about options and services.

So you can see, information is currency to seniors and their families. It takes them to resources and options. Utilizing the website of the Office on Aging to inform, educate, and assist in connecting needs to resources, both governmental and private, will be one of the most important services our State can provide. I encourage each of you to engage your communities -- reach out to people and businesses -- and ask them to call the Office on Aging to list their service, whether paid or donated, on our website.

Additionally, we need to educate adults about what lies ahead so they have the ability to plan for their possible infirmity or inability to make decisions, and we need to teach our children that planning for retirement needs to be included on their to-do list, along with buying their first homes and providing for their children’s education.

During my time as Lieutenant Governor, it has also surprised me to learn that many people believe that Medicare pays for long-term care. But it doesn’t. Most people don’t know the difference between Medicare and Medicaid, and many others believe that government will take care of you once you can no longer take care of yourself. Wrong! As I said before, there will never be enough public money to meet the demand of the growing needs. It’s about a helping hand -- not a handout. It’s about preventing the middle class from depleting their assets and becoming Medicaid dependent. Without support to maintain their independence through home and community-based programs, seniors will quickly go through their assets in private-pay nursing beds at 80,000 to 110,000 a year and get on the Medicaid nursing bed two-year waiting list. This bed will also cost $52,000 a year, whereas, on average, home and community-based programs can, for as little as $1,400 per person, keep them home where they wish to be. It’s as much as 40 times cheaper and keeps the beds open for those who have no other option.

The bottom line is this: the “grey tsunami” is coming. We still have time to mitigate its potential devastation by setting aside politics as usual and placing aging as a priority, right up there on this list with educating our children and providing adequate infrastructure for our state’s economic development.

Aging is not a political issue; it’s a people issue and a humanitarian issue. We need a long-term plan for caring for our growing senior and vulnerable adult population. It’s as simple as that. We don’t need to leave them behind.

We need regulatory reform to put common sense back in the administration of government. We must strengthen home and community-based programs to prevent seniors from migrating to more expensive care. We need to weave a fabric of non-profits, for profits, faith-based, and government services into a complementary public‑private partnership across South Carolina -- from medical clinics to respite for caregivers to home and community-based services to adult day care to assisted living to nursing homes -- in order to provide a safety net for elderly and vulnerable adults.

I do not have the time to thank all of the persons, companies, churches, countless other entities, and caregivers who reach out and help seniors and those who are disabled each and every day. There are too many to mention. But their contribution, no matter how big or small, makes a huge difference to someone in need, and I want to take this opportunity to acknowledge them and express my heartfelt appreciation.

I now want to share with you a brief video we produced in our office for our budget presentation last year which summarizes some of my findings while on the “Face of Aging” tour of South Carolina and illustrates some of the challenges we face together as seniors and as a State. If I haven’t gotten into your head with what I’ve told you, hopefully this video will find its way into your heart.

**[Video]**

Civilizations have been judged by how well they treat their older members. You have the opportunity to define your public service and have a lasting impact on our State and our State’s seniors and disabled citizens. Please help me prepare our State for one of the biggest challenges we are facing in our lifetime.

You know, I was a very sad person, the day I had to leave my Senate seat to become Lieutenant Governor. But by honoring the oath I took and doing the right thing, that decision led me to an experience that has been truly transformational and inspirational to me. I hope my journey has made a difference and will inspire others to continue the mission.

In closing, I want to thank you again for allowing me the honor to speak to you, and I want to leave you with a quote I include in every aging speech I’ve given over the past two years. It’s attributed to Sir Winston Churchill, and he sums up life as this: “You make a living by what you get; you make a life by what you give.”

May God bless our seniors and our vulnerable children and adults, and may God help us South Carolinians recognize the challenges ahead and give life to those so that their golden years are indeed golden.

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

**Recess**

On motion of Senator COURSON, the Senate stood in recess until 2:30 P.M.

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

**Point of Quorum**

At 2:31 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Cromer Davis

Fair Gregory Hayes

Hembree Kimpson Malloy

*Martin, Larry Martin, Shane* Massey

Peeler Scott Setzler

Shealy Thurmond Turner

Verdin Young

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senators O’DELL and NICHOLSON introduced Dr. George Cone of Greenwood, S.C., Doctor of the Day. Dr. Cone specializes in Internal Medicine and is the brother of Tom Cone, Attorney in Legislative Council.

**Leave of Absence Rescinded**

At 2:30 P.M., the leave of absence granted to Senator CAMPBELL for today and tomorrow was rescinded.

**Leave of Absence**

On motion of Senator McELVEEN, at 2:30 P.M., Senator JOHNSON was granted a leave of absence for today.

**Expression of Personal Interest**

Senator ALEXANDER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator LOURIE rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SHEHEEN rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 416 Sen. Rankin

S. 1035 Sen. Campbell

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1159 -- Senator O'Dell: A SENATE RESOLUTION TO COMMEND MAYOR RUFUS CALLAHAM OF BELTON FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE, TO CONGRATULATE HIM UPON HIS RETIREMENT AS MAYOR OF BELTON, AND TO WISH HIM MUCH SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

l:\council\bills\rm\1528sd14.docx

The Senate Resolution was adopted.

S. 1160 -- Senators Grooms, Verdin, Bright and Bryant: A BILL TO AMEND CHAPTER 1, TITLE 63 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING THE CHILDREN'S CODE, TO PROVIDE THAT THE STATE, ITS AGENCIES, INSTRUMENTALITIES, AND POLITICAL SUBDIVISIONS MAY NOT DEPRIVE A PARENT OF HIS RIGHTS TO RAISE AND CARE FOR HIS CHILD WITHOUT THE STATE FIRST DEMONSTRATING A COMPELLING INTEREST FOR TAKING THE PROPOSED ACTION; AND TO PROVIDE THAT A CHILD'S GUARDIAN IS AFFORDED THE SAME PROTECTIONS FROM STATE ACTION.

l:\s-res\lkg\022pare.kmm.lkg.docx

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

S. 1161 -- Senator Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE JUNCTURE OF INTERSTATE 95 AND SOUTH CAROLINA HIGHWAY 61 IN COLLETON COUNTY "SCHP PATROLMAN FIRST CLASS WILLIE E. PEEPLES MEMORIAL INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "SCHP PATROLMAN FIRST CLASS WILLIE E. PEEPLES MEMORIAL INTERCHANGE".

l:\council\bills\swb\5110cm14.docx

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

S. 1162 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE'S JOB READINESS PROGRAM ON THEIR EFFORTS TO PROVIDE SKILLS TRAINING TO INCARCERATED YOUTHS.

l:\s-res\ks\039djj .mrh.ks.docx

The Senate Resolution was adopted.

S. 1163 -- Senators Young, Lourie, Shealy and L. Martin: A BILL TO AMEND SECTION 63-7-940 OF THE 1976 CODE, RELATING TO THE USE OF UNFOUNDED ABUSE AND NEGLECT CASE INFORMATION AND SECTION 63-7-1990, RELATING TO THE CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION CONCERNING THE CENTRAL CHILD ABUSE AND NEGLECT REGISTRY, TO PROVIDE THAT INFORMATION WHCH MUST OTHERWISE REMAIN CONFIDENTIAL MAY BE RELEASED BY THE DIRECTOR OR DESIGNEE TO CONFIRM, CLARIFY, OR CORRECT INFORMATION CONCERNING A CASE THAT HAS BEEN MADE PUBLIC BY SOURCES OTHER THAN THE DEPARTMENT, TO RESPOND TO AN INQUIRY FROM A COMMITTEE OR SUBCOMMITTEE OF THE SENATE OR THE HOUSE OF REPRESENTATIVES OR A JOINT COMMITTEE OF THE GENERAL ASSEMBLY, OR TO COMPLY WITH REQUIREMENTS OF THE FEDERAL CHILD ABUSE PREVENTION AND TREATMENT ACT AND TO LIMIT CIVIL LIABILITY RESULTING FROM THE DISCLOSURE.

l:\s-res\try\020chil.mrh.try.docx

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

S. 1164 -- Senators Davis, Bright and Bryant: A BILL TO AMEND CHAPTER 1, TITLE 1 OF THE 1976 CODE, BY ADDING ARTICLE 30, THE "ACA ANTI-COMMANDEERING ACT", TO PROVIDE DEFINITIONS, TO MAKE CERTAIN FINDINGS REGARDING THE PRINCIPLE OF ANTI-COMMANDEERING AND THE RIGHT OF THE STATES TO REFUSE TO USE STATE RESOURCES TO ENFORCE FEDERAL LAWS, TO PROVIDE THAT A PUBLIC OFFICIAL, OFFICER, OR EMPLOYEE OF A PUBLIC BODY MUST NOT PARTICIPATE IN THE ESTABLISHMENT OF A HEALTH INSURANCE EXCHANGE OR ENFORCE OR AID IN THE ENFORCEMENT OF THE INDIVIDUAL AND EMPLOYER HEALTH INSURANCE MANDATES OF THE AFFORDABLE CARE ACT, TO PROVIDE THAT THESE PROHIBITIONS DO NOT APPLY TO THE PROVISION OF MEDICAID AT CURRENT LEVELS OF ELIGIBILITY, AND TO REFUSE TO PARTICIPATE IN THE EXPANSION OF MEDICAID PURSUANT TO THE ACA; TO AMEND CHAPTER 11, TITLE 11, BY ADDING ARTICLE 6, TO ENACT THE TRANSPARENCY IN ACA GRANTS AND PROGRAMS ACT, TO MAKE CERTAIN FINDINGS AND TO PROVIDE THE PROCEDURES BY WHICH GRANTS AND GRANT PROGRAMS ESTABLISHED BY THE ACA MAY BE AUTHORIZED IN THE GENERAL APPROPRIATIONS BILL THROUGH THE BUDGET PROCESS; TO AMEND TITLE 38, BY ADDING ARTICLE 21 TO CHAPTER 71, TO ENACT THE "NAVIGATOR BACKGROUND CHECK ACT", TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE CRITERIA FOR REGISTRATION AS A HEALTH CARE INSURANCE NAVIGATOR, TO REQUIRE REGISTRATION OF A PERSON ACTING AS A HEALTH CARE INSURANCE NAVIGATOR, TO PROVIDE RELATED DUTIES OF THE DEPARTMENT OF INSURANCE AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND TO PROVIDE PENALTIES FOR A VIOLATION; TO AMEND SECTION 38-3-110 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE CHIEF INSURANCE COMMISSIONER, TO REQUIRE THE COMMISSIONER TO TAKE ALL REASONABLE ACTION TO LIMIT FEDERAL INTRUSION INTO THE REGULATION OF INSURANCE IN THIS STATE; AND TO AUTHORIZE THE GOVERNOR TO COMMUNICATE THE CONTENTS OF THIS ACT TO OUR SISTER STATES AND REQUEST AN EXPRESSION OF THEIR SENTIMENTS REGARDING THE ACA.

l:\s-res\td\016anti.mrh.td.docx

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

S. 1165 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 15, TITLE 63 ENACTING THE "UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT" SO AS TO ADDRESS ISSUES OF CUSTODIAL RESPONSIBILITY WHEN A PARENT IN THE UNIFORMED SERVICE IS BEING DEPLOYED; TO PROVIDE THAT A COURT MUST HAVE JURISDICTION PURSUANT TO THE UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT TO ISSUE AN ORDER UNDER THIS ARTICLE; TO REQUIRE PROMPT NOTICE OF DEPLOYMENT TO THE OTHER PARENT; TO PROVIDE THAT THE CUSTODIAL RESPONSIBILITIES OF A DEPLOYING PARENT MAY BE ASSIGNED FOR THE DURATION OF THE DEPLOYMENT BY A TEMPORARY AGREEMENT ENTERED INTO BY THE PARENTS OR WITH THE DEPLOYING PARENT'S CONSENT, BY A COURT ISSUING A TEMPORARY ORDER GRANTING CUSTODIAL RESPONSIBILITIES AND TO FURTHER PROVIDE CERTAIN REQUIREMENTS AND LIMITATIONS OF AN AGREEMENT OR COURT ORDER; TO PROVIDE FOR THE TERMINATION OF A TEMPORARY AGREEMENT OR A TEMPORARY ORDER; TO PROVIDE THAT THIS ARTICLE SUPERSEDES THE FEDERAL ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT, EXCEPT CERTAIN PROVISIONS IN THAT ACT; AND TO PROVIDE THAT THIS ARTICLE DOES NOT AFFECT THE VALIDITY OF A TEMPORARY COURT ORDER CONCERNING CUSTODIAL RESPONSIBILITY DURING DEPLOYMENT ENTERED BEFORE THIS ARTICLE'S EFFECTIVE DATE.

l:\council\bills\nbd\11328ac14.docx

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

S. 1166 -- Senators Turner, Allen and Fair: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 37 ALONG INTERSTATE HIGHWAY 385 IN GREENVILLE COUNTY "LT. GOVERNOR NICK AND EMILIE THEODORE INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "LT. GOVERNOR NICK AND EMILIE THEODORE INTERCHANGE".

l:\council\bills\swb\5103cm14.docx

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

S. 1167 -- Senators Scott, Peeler, Bryant, Shealy, Hutto, Nicholson, Hayes, Verdin, McGill, Williams, Setzler, Cromer, Kimpson, Massey, Turner, O'Dell, Corbin, Alexander, Rankin, Coleman, Bennett, Gregory, Allen, Bright and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-20-80 SO AS TO PROVIDE THAT WHENEVER AN ELECTION IS TO BE HELD BY THE GENERAL ASSEMBLY IN JOINT SESSION, EXCEPT FOR MEMBERS OF THE JUDICIARY, THE VOTE OF A MEMBER OF THE HOUSE OF REPRESENTATIVES SHALL COUNT AS ONE VOTE AND THE VOTE OF A MEMBER OF THE SENATE SHALL COUNT AS TWO AND SEVEN-TENTHS VOTES.

l:\council\bills\nbd\11334dg14.docx

Senator SCOTT spoke on the Bill.

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

S. 1168 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE C. A. JOHNSON HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014 CLASS A STATE CHAMPIONSHIP TITLE.

l:\council\bills\gm\24001ac14.docx

The Senate Resolution was adopted.

H. 4975 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 RECOGNIZE AND HONOR DENISE DUKE OF COLUMBIA, A TWENTY-ONE YEAR VETERAN TEACHER, FOR HER SIGNIFICANT CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA AND TO CONGRATULATE HER FOR BEING NAMED THE FIRST RECIPIENT OF THE NASA BEAGLE AWARD.

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

H. 4976 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 COMMEMORATE THE SEVENTIETH ANNIVERSARY OF D-DAY, WHICH TOOK PLACE ON JUNE 6, 1944, AND MARKED THE TURNING POINT OF WORLD WAR II; TO COMMEMORATE YOM HASHOAH, THE OFFICIAL HOLOCAUST "DAY OF REMEMBRANCE"; AND TO RECOGNIZE AND HONOR WORLD WAR II U.S. ARMY HERO MAJOR T. MOFFATT BURRISS OF COLUMBIA.

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

H. 4986 -- Rep. Dillard: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA'S CHILDREN AND TO DECLARE THE WEEK OF APRIL 6 THROUGH 12, 2014, AS "WEEK OF THE YOUNG CHILD" IN THE STATE OF SOUTH CAROLINA.

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

**REPORTS OF STANDING COMMITTEES**

**Appointments Reported**

Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable report on:

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2012, and to expire June 30, 2016

5th Congressional District:

Martha W. Brock, 154 Hidden Acres, Gaffney, SC 29341

Received as information.

Initial Appointment, State Human Affairs Commission, with the term to commence June 30, 2012, and to expire June 30, 2015

7th Congressional District:

Harold Jean Brown, Post Office Box 2376, Georgetown, SC 29442 *VICE* Vacant Due to Redistricting

Received as information.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2012, and to expire June 30, 2015

3rd Congressional District:

Ashley P. Case, 1192 Garrett-Patton Rd., Fountain Inn, SC 29644 *VICE* Jose F. Garcia

Received as information.

**Invitations Accepted**

Wednesday, April 2, 2014 - 8:00 - 10:00 am

Members of the Senate, Breakfast, Room 112, Blatt Building, by DELTA SIGMA THETA

Wednesday, April 2, 2014 - 12:00 - 2:00 pm

Members of the Senate and Staff, Luncheon, State House Grounds, by the PALMETTO CONSERVATION FOUNDATION

Wednesday, April 2, 2014 - 6:00 - 8:00 pm

Members of the Senate and Staff, Reception, Carolina Baseball Stadium, by the UNIVERSITY OF SOUTH CAROLINA

Thursday, April 3, 2014 - 8:00 -10:00 pm

Members of the Senate, Breakfast, Room 112, Blatt Building, by the COALITION FOR ACCESS TO CARE

Tuesday, April 8, 2014 - 1:00 - 3:00 pm

Members of the Senate and Staff, Luncheon, State House Grounds, by the SC REALTORS ASSOCIATION

Tuesday, April 8, 2014 - 6:00 - 8:00 pm

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

Tuesday, April 8, 2014 - 7:00 - 9:00 pm

Members of the Senate, Reception, Capital City Club, by CLAFLIN UNIVERSITY

Wednesday, April 9, 2014 - 8:00 - 10:00 am

Members of the Senate, Breakfast, Room 112, Blatt Building, by the SC ASSOCIATION OF HOUSING AUTHORITY EXECUTIVE DIRECTORS

Wednesday, April 9, 2014 - 11:30 - 2:00 pm

Members of the Senate and Staff, Luncheon, State House Grounds, by the JASPER COUNTY CHAMBER OF COMMERCE “JASPER COUNTY DAY”

Wednesday, April 9, 2014 - 6:00 - 8:00 pm

Members of the Senate and Staff, Reception, The Palmetto Club, by the SC HOSPITAL ASSOCIATION

Wednesday, April 9, 2014 - 6:30 - 9:00 pm

Members of the Senate and Staff, Reception, First Citizens Café, by the SOUTH CAROLINA ASSOCIATION FOR JUSTICE

Thursday, April 10, 2014 - 8:00 - 10:00 pm

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the SC ASSOCIATION OF CONVENIENCE STORES

Tuesday, April 29, 2014 - 12:00 - 2:00 pm

Members of the Senate and Staff, Luncheon, State House Grounds, by STATE FARM INSURANCE COMPANIES, “STATE FARM DAY”

Wednesday, April 30, 2014 - 8:00 - 10:00 pm

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by PIEDMONT NATURAL GAS

Wednesday, April 30, 2014 - 11:30 - 2:00 pm

Members of the Senate and Staff, Luncheon, State House Grounds, by the PALMETTO AGRICULTURE & FOOD INDUSTRY COUNCIL & SC DEPARTMENT OF AGRICULTURE, “A SOUTH CAROLINA TASTE”

Wednesday, April 30, 2014 -5:00 -9:00 pm

Members of the Senate and Staff, Reception, The Clarion, by the MYRTLE BEACH AREA CHAMBER OF COMMERCE, “MYRTLE BEACH NIGHT”

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

S. 256 -- Senators Alexander, S. Martin, Bryant, Bennett and Corbin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA REGULATORY REFORM ACT” BY ADDING SECTION 1‑23‑122 SO AS TO CLARIFY THE GENERAL ASSEMBLY OR A COMMITTEE OF THE GENERAL ASSEMBLY MAY NOT AMEND OR OTHERWISE CHANGE A REGULATION UNDER GENERAL ASSEMBLY REVIEW; TO AMEND SECTION 1‑23‑120, AS AMENDED, RELATING TO THE APPROVAL OF PROPOSED REGULATIONS, SO AS TO REQUIRE THAT AN AMENDMENT RECEIVE AN AFFIRMATIVE VOTE OF THE GENERAL ASSEMBLY TO TAKE EFFECT AND DELETE THE PROVISION THAT ALLOWED A REGULATION TO TAKE EFFECT AFTER ONE HUNDRED TWENTY DAYS; TO AMEND SECTION 1‑23‑125, AS AMENDED, RELATING TO CERTAIN EVENTS THAT TOLL THE ONE HUNDRED TWENTY DAY PERIOD, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 1‑23‑115, RELATING TO CERTAIN EVENTS THAT TOLL THE ONE HUNDRED TWENTY DAY PERIOD, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

S. 894 -- Senator Massey: A BILL TO AMEND CHAPTER 1, TITLE 14 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS APPLICABLE TO COURTS, BY ADDING SECTION 14‑1‑240, TO PROVIDE THAT A FIVE DOLLAR SURCHARGE TO FUND TRAINING AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY SHALL BE LEVIED ON ALL FINES, FORFEITURES, ESCHEATMENTS, OR OTHER MONETARY PENALTIES IMPOSED IN THE GENERAL SESSIONS COURT OR IN MAGISTRATES OR MUNICIPAL COURT FOR MISDEMEANOR TRAFFIC OFFENSES OR FOR NONTRAFFIC VIOLATIONS.

Ordered for consideration tomorrow.

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

S. 900 -- Senator Allen: A JOINT RESOLUTION TO CREATE THE “STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES” TO REVIEW THE CRIMINAL LAWS OF THE STATE AND DETERMINE CRIMINAL OFFENSES APPROPRIATE FOR EXPUNGEMENT, TO PROVIDE FOR THE MEMBERSHIP AND STAFFING OF THE STUDY COMMITTEE, AND TO PROVIDE FOR THE STUDY COMMITTEE’S TERMINATION.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a majority favorable with amendment and Senator BRYANT a minority unfavorable report on:

S. 911 -- Senator Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 4‑10‑470 RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO DELETE THE REQUIREMENT THAT A COUNTY MUST COLLECT AT LEAST SEVEN MILLION DOLLARS IN A YEAR IN STATE ACCOMMODATIONS TAXES BEFORE IMPOSING THE TAX.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a majority favorable with amendment and Senator BRYANT a minority unfavorable report on:

S. 964 -- Senator L. Martin: A BILL TO AMEND SECTION 6‑1‑320 OF THE 1976 CODE RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, TO ADD AN EXEMPTION FOR MILLAGE IMPOSED BY THE GOVERNING BODY FOR OPERATING REVENUE NECESSARY TO RETAIN A FIRE DEPARTMENT’S ISO RATING.

Ordered for consideration tomorrow.

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

S. 1085 -- Senators Campbell, Grooms, Matthews, McGill and O’Dell: A BILL TO AMEND SECTION 4‑37‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, RELATING TO THE USE OF LOCAL SALES AND USE TAX OR TOLL REVENUES TO FINANCE TRANSPORTATION INFRASTRUCTURE IN A COUNTY, SO AS TO PROVIDE A PROCEDURE FOR THE GOVERNING BODY OF A COUNTY IN WHICH THE TRANSPORTATION INFRASTRUCTURE LOCAL SALES AND USE TAX IS CURRENTLY IMPOSED FOR LESS THAN THE TWENTY‑FIVE YEAR MAXIMUM IMPOSITION PERIOD, UPON REFERENDUM APPROVAL, MAY EXTEND WITHOUT INTERRUPTION THE INITIAL IMPOSITION FOR AN IMPOSITION PERIOD IN THE AGGREGATE NOT TO EXCEED TWENTY‑FIVE YEARS, TO PROVIDE WHAT QUESTIONS MUST APPEAR ON THE REFERENDUM BALLOT, TO PROVIDE THAT A REFERENDUM FOR OTHER THAN THE INITIAL IMPOSITION OF THE TAX MAY BE HELD AT THE TIME OF EITHER A GENERAL OR SPECIAL ELECTION IN THE COUNTY, AS THE GOVERNING BODY OF THE COUNTY MAY DETERMINE, AND TO PROVIDE THAT THE GOVERNING BODY OF A COUNTY IN WHICH THE TRANSPORTATION INFRASTRUCTURE LOCAL SALES AND USE TAX IS CURRENTLY IMPOSED, WITHIN TWO YEARS OF THE TERMINATION OF THE TAX OR THE ANTICIPATED TERMINATION OF THE TAX AND UPON REFERENDUM APPROVAL, MAY RENEW WITHOUT INTERRUPTION THE IMPOSITION OF THE TAX AND PROVIDE THAT NO MORE THAN ONE REFERENDUM RELATING TO THIS TAX BE HELD IN A CALENDAR YEAR.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., March 26, 2014

Mr. President and Senators:

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

H. 4347 -- Reps. Bannister, Cobb‑Hunter, McCoy, Allison, Whipper and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM ACT” BY ADDING ARTICLE 4 TO CHAPTER 11, TITLE 63 SO AS TO CREATE THE SOUTH CAROLINA CHILDREN’S ADVOCACY MEDICAL RESPONSE SYSTEM, A PROGRAM TO PROVIDE COORDINATION AND MEDICAL SERVICE RESOURCES STATEWIDE TO AGENCIES AND ENTITIES THAT RESPOND TO VICTIMS OF CHILD ABUSE AND NEGLECT, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE PROGRAM; AND TO AMEND SECTION 63‑11‑310, RELATING TO RESPONSIBILITIES OF CHILDREN’S ADVOCACY CENTERS, SO AS TO REQUIRE THESE CENTERS TO COMPLY WITH REQUIREMENTS OF THE SOUTH CAROLINA CHILDREN’S MEDICAL RESPONSE SYSTEM AND OTHERWISE COORDINATE WITH THE PROGRAM.

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 26, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has recommitted H. 3945 to the Judiciary Committee:

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.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 25, 2014

Mr. President and Senators:

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

S. 19 -- Senators Ford, Campsen and Shealy: A BILL TO AMEND SECTION 17-15-55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BOND AND THE AUTHORITY OF THE CIRCUIT COURT TO REVOKE BOND UNDER CERTAIN CIRCUMSTANCES, SO AS TO INCLUDE THE COMMISSION OF A SUBSEQUENT VIOLENT CRIME BY A PERSON RELEASED ON BOND IN THE PURVIEW OF THE STATUTE AND TO ADD AN ADDITIONAL PENALTY IF A PERSON COMMITS A GENERAL SESSIONS COURT OFFENSE WHILE ON RELEASE ON BOND.

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 20, 2014

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. 4467 -- Reps. Daning, Rivers, Crosby, Southard, Jefferson and Merrill: A BILL TO AMEND SECTION 7‑7‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO REDESIGNATE VARIOUS EXISTING PRECINCTS, TO ADD TEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

Very respectfully,

Speaker of the House

Received as information.

**H. 4467--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 4467 -- Reps. Daning, Rivers, Crosby, Southard, Jefferson and Merrill: A BILL TO AMEND SECTION 7‑7‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO REDESIGNATE VARIOUS EXISTING PRECINCTS, TO ADD TEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

On motion of Senator GROOMS, the Senate insisted upon its amendments to H. 4467 and asked for a Committee of Conference.

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

**HOUSE CONCURRENCES**

The following Concurrent Resolutions were returned from the House with concurrence and received as information:

S. 1110 -- Senators McElveen and Johnson: A CONCURRENT RESOLUTION TO WELCOME THE SUMTER SCHOOL DISTRICT TEACHER FORUM TO THE SOUTH CAROLINA STATE HOUSE AND TO PROCLAIM APRIL 7, 2014, “SUMTER TEACHER FORUM CELEBRATION OF EXCELLENCE DAY” IN SOUTH CAROLINA.

S. 1111 -- Senators Alexander, O’Dell, Pinckney, Lourie, Hayes and Kimpson: A CONCURRENT RESOLUTION TO DESIGNATE THE MONTH OF MAY 2014 AS “MENTAL HEALTH MONTH” IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESS.

S. 1156 -- Senator Allen: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE RICHARD WILSON “DICK” RILEY FOR HIS DISTINGUISHED AND LIFELONG SERVICE TO OUR STATE AND OUR NATION.

S. 1158 -- Senator Allen: A CONCURRENT RESOLUTION TO HONOR BILL CLINTON, FORMER PRESIDENT OF THE UNITED STATES, FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE AND TO EXTEND TO HIM A CORDIAL WELCOME TO THE PALMETTO STATE UPON THE OCCASION OF HIS ADDRESS AT THE RILEY INSTITUTE’S “AN EVENING WITH BILL CLINTON”, TO BE HELD APRIL 8, 2014, IN GREENVILLE.

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

**CARRIED OVER**

H. 3459 -- Reps. Sandifer, Bales, J.E. Smith and Erickson: A BILL TO AMEND SECTION 40‑2‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE BOARD, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE BOARD, AND TO PROVIDE THESE PERSONNEL MAY BE TERMINATED BY THE DIRECTOR OF A MAJORITY OF THE BOARD; TO AMEND SECTION 40‑2‑30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO PROVIDE A CERTIFIED PUBLIC ACCOUNTANT LICENSED BY THE BOARD IS EXEMPT FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; AND TO AMEND SECTION 40‑2‑70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD MAY CONDUCT PERIODIC INSPECTIONS OF LICENSEES OR FIRMS; AND TO AMEND SECTION 40‑2‑80, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT SHALL DIRECT THE INVESTIGATOR ASSIGNED TO THE BOARD TO INVESTIGATE AN ALLEGED VIOLATION TO DETERMINE THE EXISTENCE OF PROBABLE CAUSE MERITING FURTHER PROCEEDINGS.

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

H. 3797 -- Reps. Sandifer and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑90‑165 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY DECLARE A CAPTIVE INSURANCE COMPANY INACTIVE IN CERTAIN CIRCUMSTANCES AND THAT THE DIRECTOR MAY MODIFY THE MINIMUM TAX PREMIUM APPLICABLE TO THE COMPANY DURING INACTIVITY; BY ADDING SECTION 38‑90‑215 SO AS TO PROVIDE A PROTECTED CELL MAY BE EITHER INCORPORATED OR UNINCORPORATED, AND TO PROVIDE REQUIREMENTS FOR EACH; BY ADDING SECTION 38‑90‑250 SO AS TO PROVIDE THE DEPARTMENT MUST CONSIDER A LICENSED CAPTIVE INSURANCE COMPANY THAT MEETS THE REQUIREMENTS OF AN INSURER FOR ISSUANCE OF A CERTIFICATE OF AUTHORITY TO ACT AS AN INSURER; TO AMEND SECTION 38‑90‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE ADDITIONAL TERMS AND REVISE DEFINITIONS OF CERTAIN EXISTING TERMS; TO AMEND SECTION 38‑90‑20, AS AMENDED, RELATING TO THE DOCUMENTATION REQUIRED FOR LICENSING CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE THE REQUIREMENT OF A CERTIFICATE OF GENERAL GOOD ISSUED BY THE DIRECTOR; TO AMEND SECTION 38‑90‑35, RELATING TO THE CONFIDENTIALITY OF INFORMATION CONCERNING CAPTIVE INSURANCE COMPANIES SUBMITTED TO THE DEPARTMENT OF INSURANCE, SO AS TO REVISE REQUIREMENTS FOR MAKING THE INFORMATION SUBJECT TO DISCOVERY IN A CIVIL ACTION; TO AMEND SECTION 38‑90‑40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS, SECURITY REQUIREMENTS, AND RESTRICTIONS ON DIVIDEND PAYMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK, AND TO REVISE REQUIREMENTS FOR CONTRIBUTIONS TO A CAPTIVE INSURANCE COMPANY INCORPORATED AS A NONPROFIT, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS OF A CAPTIVE INSURANCE COMPANY, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK; TO AMEND SECTION 38‑90‑55, AS AMENDED, RELATING TO THE INCORPORATION OF CAPTIVE INSURANCE COMPANIES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE, AND THE ISSUANCE OF CAPITAL STOCK AT PAR VALUE; TO AMEND SECTION 38‑90‑60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE AVAILABLE OPTIONS; TO AMEND SECTION 38‑90‑80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF CAPTIVE INSURANCE COMPANIES BY THE DEPARTMENT, SO AS TO DELETE REFERENCES TO PURE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38‑90‑90, AS AMENDED, RELATING TO THE SUSPENSION OR REVOCATION OF A CAPTIVE INSURANCE LICENSE, SO AS TO MAKE A GRAMMATICAL CHANGE; TO AMEND SECTION 38‑90‑100, AS AMENDED, RELATING TO THE LOANS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE A SPONSORED CAPTIVE INSURANCE COMPANY MAY MAKE LOANS TO ITS PARENT COMPANY IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38‑90‑130, AS AMENDED, RELATING THE PROHIBITION AGAINST PARTICIPATION IN PLAN, POOL, ASSOCIATION, GUARANTY, OR INSOLVENCY FUNDS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE CAPTIVE INSURANCE COMPANIES, INCLUDING PURE CAPTIVE INSURANCE COMPANIES, MAY PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑180, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS RELATING TO INSURANCE, SO AS TO PROVIDE REQUIREMENTS FOR THE NAME OF NEW CAPTIVE INSURANCE COMPANIES, TO PROVIDE CIRCUMSTANCES IN WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH PROTECTED CELLS, INCLUDING REQUIREMENTS FOR A PLAN OF OPERATION, THE ATTRIBUTIONS OF ASSETS AND LIABILITIES BETWEEN A PROTECTED CELL AND THE GENERAL ACCOUNT OF THE SPONSORED CAPTIVE INSURANCE COMPANY, AND ADMINISTRATIVE AND ACCOUNTING PROCEDURES; TO AMEND SECTION 38‑90‑210, RELATING TO THE SEPARATE ACCOUNTING OF PROTECTED CELLS WHEN ESTABLISHED, SO AS TO REQUIRE THIS ACCOUNTING MUST REFLECT THE PARTICIPANTS OF THE PROTECTED CELL IN ADDITION TO EXISTING REQUIREMENTS; TO AMEND SECTION 38‑90‑220, AS AMENDED, RELATING TO CERTAIN REQUIREMENTS APPLICABLE TO SPONSORS OF CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38‑90‑230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THAT PROTECTED CELLS ASSETS ARE ONLY AVAILABLE TO CREDITORS OF THE SPONSORED CAPTIVE INSURANCE COMPANY AND RELATED REQUIREMENTS, AND TO PROVIDE REQUIREMENTS CONCERNING OBLIGATIONS OF SPONSORED CAPTIVE INSURANCE COMPANIES WITH RESPECT TO PROTECTED CELLS AND ITS GENERAL ACCOUNT; TO AMEND SECTION 38‑90‑240, RELATING TO THE ELIGIBILITY OF A LICENSED CAPTIVE INSURANCE COMPANY FOR CERTIFICATE OF AUTHORITY TO ACT AS INSURER, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE FOR WHO MAY PARTICIPATE IN A SPONSORED CAPTIVE INSURANCE COMPANY AND OBLIGATIONS OF THESE PARTICIPANTS, AND TO PROVIDE SPONSORED CAPTIVE INSURANCE COMPANIES MAY NOT BE USED TO FACILITATE INSURANCE SECURITIZATION TRANSACTIONS; TO AMEND SECTION 38‑90‑450, AS AMENDED, RELATING TO ORGANIZATION REQUIREMENTS FOR SPECIAL PURPOSE FINANCIAL CAPTIVES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, AND PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE; AND TO REPEAL SECTION 38‑90‑235 RELATING TO TERMS AND CONDITIONS FOR PROTECTED CELL INSURANCE COMPANIES TO APPLY TO SPONSORED CAPTIVE INSURANCE COMPANIES.

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

H. 3853 -- Reps. Owens, Patrick, Bedingfield, Loftis, Taylor, Allison, Anthony, Brannon, Southard, Bowen, Whitmire, Limehouse, Cole, Erickson, Forrester, Harrell, Herbkersman, Hixon, Lucas, D.C. Moss, Norman, Pitts, Pope, Putnam, Simrill, G.R. Smith, Sottile, Stringer, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑111 SO AS TO AUTHORIZE AN ALTERNATIVE EDUCATION CAMPUS (AEC) TO BE ESTABLISHED BY A CHARTER SCHOOL SPONSOR WHICH SHALL CONSTITUTE A CHARTER SCHOOL SERVING A SPECIFIC STUDENT POPULATION, AND TO PROVIDE THE CRITERIA FOR A CHARTER SCHOOL TO BE DESIGNATED AS AN AEC; TO AMEND SECTION 59‑40‑55, RELATING TO A CHARTER SCHOOL SPONSOR’S POWERS AND DUTIES, SO AS TO FURTHER PROVIDE FOR THESE POWERS AND DUTIES INCLUDING THE ADOPTION OF NATIONAL INDUSTRY STANDARDS FOR THE SCHOOL, AND THE CLOSURE OF LOW PERFORMING SCHOOLS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATIONS AND THE FORMATION OF CHARTER SCHOOLS, SO AS TO PROVIDE THAT THE CHARTER SCHOOL APPLICATION MUST BE BASED ON AN APPLICATION TEMPLATE WITH COMPLIANCE GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION, AND TO FURTHER PROVIDE FOR THE CONTENTS OF THE APPLICATION AND FOR LETTERS OF INTENT TO BE SUBMITTED BY AN APPLICANT AND A CHARTER COMMITTEE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE AND ITS DUTY TO REVIEW CHARTER SCHOOL APPLICATIONS, SO AS TO DELETE THE COMMITTEE, TO REVISE THE PROCEDURES REQUIRED OF A CHARTER SCHOOL APPLICANT IN REGARD TO A CHARTER SCHOOL APPLICATION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL PROVIDE GUIDANCE ON COMPLIANCE TO BOTH SPONSORS AND APPLICANTS, AND TO FURTHER PROVIDE FOR THE STANDARDS FOR A SCHOOL BOARD OF TRUSTEES OR AREA COMMISSION TO FOLLOW WHEN CONSIDERING THE DENIAL OF AN APPLICATION; TO AMEND SECTION 59‑40‑90, AS AMENDED, RELATING TO APPEAL OF FINAL DECISIONS OF A SCHOOL DISTRICT TO THE ADMINISTRATION LAW COURT, SO AS TO ALSO INCLUDE FINAL DECISIONS OF A PUBLIC OR INDEPENDENT INSTITUTION OF HIGHER LEARNING SPONSOR; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER SCHOOL SPONSOR AND THE RENEWAL OR TERMINATION OF A CHARTER BY THE SPONSOR, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN A CHARTER SCHOOL SHALL AUTOMATICALLY AND PERMANENTLY CLOSE, TO REVISE THE CRITERIA TO CONSIDER WHEN REVOKING OR NOT RENEWING A CHARTER, TO PROVIDE FOR WHEN A SPONSOR SUMMARILY MAY REVOKE A CHARTER, AND TO PROVIDE FOR THE MANNER IN WHICH STAYS OF THE REVOCATION OR NONRENEWAL OF THE CHARTER TAKE EFFECT OR MAY BE GRANTED; TO AMEND SECTION 59‑40‑115, AS AMENDED, RELATING TO THE TERMINATION OF A CHARTER SCHOOL’S CONTRACT WITH A SPONSOR, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; AND TO AMEND SECTION 59‑40‑180, AS AMENDED, RELATING TO REGULATIONS AND GUIDELINES PERTAINING TO CHARTER SCHOOLS, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE.

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

H. 3124 -- Reps. Bingham, Taylor, Long and M.S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

Senator MASSEY explained the committee amendment.

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

H. 3191 -- Reps. Cole and Tallon: A BILL TO AMEND SECTIONS 56‑5‑130 AND 56‑5‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS “MOTOR VEHICLE” AND “MOTORCYCLE”, SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

H. 4259 -- Reps. Goldfinch and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑17‑760 SO AS TO ENACT THE “SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT”, TO PROVIDE THAT A PERSON WHO, WITH THE INTENT OF SECURING A TANGIBLE BENEFIT, KNOWINGLY AND FALSELY REPRESENTS HIMSELF TO HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES OR TO HAVE BEEN AWARDED A DECORATION, MEDAL, RIBBON, OR OTHER DEVICE AUTHORIZED BY CONGRESS OR PURSUANT TO FEDERAL LAW FOR THE ARMED FORCES OF THE UNITED STATES, IS GUILTY OF A MISDEMEANOR.

Senator MASSEY explained the committee amendment.

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

S. 1036 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 15, TITLE 40 SO AS TO ENACT THE “DENTAL SEDATION ACT”, TO PROVIDE REQUIREMENTS CONCERNING THE PROVISION OF VARYING LEVELS OF SEDATION TO DENTAL PATIENTS; TO AMEND SECTION 40‑15‑85, RELATING TO DEFINITIONS IN THE DENTISTRY PRACTICE ACT, SO AS TO ADD NECESSARY DEFINITIONS; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 15, TITLE 40 AS ARTICLE 1 “GENERAL PROVISIONS”.

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

H. 3631 -- Reps. Daning, Crosby, Sottile, Atwater, Sabb, Erickson, Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑3‑115 SO AS TO PROVIDE FOR THE ISSUANCE OF GOLF CART PERMITS, TO REGULATE THE OPERATION OF GOLF CARTS, AND TO PROVIDE A PENALTY; AND TO REPEAL SECTION 56‑2‑105 RELATING TO THE ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS.

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

S. 1093 -- Senators Fair, Campbell, Young, Turner, Williams, Massey, Shealy and Thurmond: A BILL TO AMEND SECTION 24‑3‑965, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCLUSIVE JURISDICTION OF THE MAGISTRATES COURT TO TRY CASES INVOLVING THE OFFENSE OF FURNISHING TO AN INMATE AND THE POSSESSION BY AN INMATE OF CERTAIN CONTRABAND, SO AS TO PROVIDE THAT CONTRABAND COVERED BY THIS SECTION DOES NOT INCLUDE TELECOMMUNICATION DEVICES, AND TO DEFINE THE TERM “TELECOMMUNICATION DEVICE”.

Senator FAIR explained the Bill.

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

H. 4873 -- Rep. Cobb‑Hunter: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA’S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL AS “CHILD ABUSE PREVENTION MONTH” IN THE STATE OF SOUTH CAROLINA.

On motion of Senator HUTTO, the Concurrent Resolution was carried over.

S. 862 -- Senators Shealy and Turner: A BILL TO AMEND SECTION 40‑59‑260 OF THE 1976 CODE, RELATING TO THE EXCEPTION FOR PROJECTS BY A PROPERTY OWNER FOR PERSONAL USE, TO PROVIDE THAT AN OWNER OF RESIDENTIAL PROPERTY WHO IMPROVES THE PROPERTY OR WHO BUILDS OR IMPROVES THE STRUCTURES OR APPURTENANCES ON THE PROPERTY AT A COST OF MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS SHALL NOT WITHIN TWO YEARS AFTER COMPLETION OR ISSUANCE OF A CERTIFICATE OFFER THE STRUCTURE FOR SALE OR RENT, AND CONSTRUCTION OR IMPROVEMENTS TO THE STRUCTURE, GROUP OF STRUCTURES, OR APPURTENANCES THAT COST THE OWNER‑BUILDER LESS THAN TWO THOUSAND FIVE HUNDRED DOLLARS ARE NOT EVIDENCE OF “SALE” OR “RENT” FOR THE PURPOSES OF THIS SECTION.

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

**AMENDED**

**OBJECTION TO FURTHER CONSIDERATION OF THE BILL**

S. 459 -- Senators Sheheen and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑55, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO HOLDS A BEGINNER’S PERMIT OR A RESTRICTED DRIVER’S LICENSE TO DRIVE A MOTOR VEHICLE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE; AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO DRIVE A MOTOR VEHICLE THROUGH A SCHOOL ZONE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE WHEN THE SCHOOL ZONE’S WARNING LIGHTS HAVE BEEN ACTIVATED.

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

**Motion Under Rule 26B**

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

There was no objection.

Senator MALLOY proposed the following amendment (JUD0459.013), which was tabled:

Amend the bill, as and if amended, page 4, by striking line 18-27, and inserting:

/ (E) A law enforcement officer shall not:

(1) stop a person for a violation of this section except when the officer has probable cause that a violation has occurred based on the officer’s clear and unobstructed view of a person who is using a wireless electronic communication device while operating a motor vehicle on the public streets and highways of this State or when the officer has probable cause that a violation has occurred based on a person’s admission after being advised of Miranda rights that the person was using a wireless electronic communication device while operating a motor vehicle on the public streets and highways of this State; /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

**Ayes 23; Nays 18**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Leatherman Lourie

*Martin, Larry* Massey Peeler

Rankin Shealy Thurmond

Turner Young

**Total--23**

**NAYS**

Allen Bright Bryant

Coleman Corbin Hutto

Kimpson Malloy *Martin, Shane*

Matthews McElveen McGill

Pinckney Scott Setzler

Sheheen Verdin Williams

**Total--18**

The amendment was laid on the table.

**Motion Under Rule 26B**

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

There was no objection.

Senator MALLOY proposed the following amendment (JUD0459.012), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 40-41, and inserting:

/ (F) The Department of Public Safety shall maintain statistical information regarding citations issued pursuant to this section. In addition, if a law enforcement officer stops a motor vehicle and does not issue a citation pursuant to this section, the officer shall complete a data collection form designed by the department, which must include information regarding the motor vehicle driver’s age, gender, and ethnicity. The information may be gathered and transmitted electronically under the supervision of the department. The department shall promulgate rules and regulations regarding the collection and submission of the information. The department shall develop and maintain a database for the information and prepare a report to be posted on the department's website. The General Assembly shall have the authority to withhold state funds or federal pass‑through funds from a law enforcement agency that fails to comply with the requirements of this subsection. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

**Motion Under Rule 26B**

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

Senator DAVIS objected to further consideration of the Bill.

**HOUSE BILL RETURNED**

H. 4819 -- Reps. Norman, King, Long, D.C. Moss, Delleney, Felder, V.S. Moss and Simrill: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO ESTABLISH AND REAPPORTION THESE ELECTION DISTRICTS.

On motion of Senator HAYES, the Bill was read the third time and ordered returned to the House with amendments.

**THIRD READING BILLS**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 511 -- Senator Campsen: A BILL TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FOUR PERCENT SPECIAL ASSESSMENT RATIO, SO AS TO PROVIDE THAT AN ELIGIBILITY PROVISION REQUIRING A CERTAIN OWNERSHIP PERCENTAGE DOES NOT APPLY IF THE PROPERTY IS HELD BY A TRUST, FAMILY LIMITED PARTNERSHIP, OR LIMITED LIABILITY COMPANY UNDER CERTAIN SITUATIONS.

S. 1070 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑525 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES THE AUTHORITY TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; AND TO AMEND SECTION 50‑11‑520, AS AMENDED, 50‑11‑530, 50‑11‑540, AND 50‑11‑544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES’ REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEYS, TO ESTABLISH “SOUTH CAROLINA YOUTH TURKEY HUNTING DAY”, TO ESTABLISH BAG LIMITS FOR THE TAKING OF MALE WILD TURKEYS, TO PROVIDE THAT THE DEPARTMENT MUST CONDUCT AN ANALYSIS OF THE STATE’S WILD TURKEY RESOURCES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY WHICH RECOMMENDS CHANGES TO THE WILD TURKEY SEASON AND BAG LIMITS, TO REVISE THE DEPARTMENT’S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, AND TO ALLOW IT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE HUNTING OF WILD TURKEY, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL.

S. 1071 -- Senator Campsen: A BILL TO AMEND SECTION 50‑1‑60, AS AMENDED, SECTIONS 50‑11‑120, 50‑11‑150, AND SECTIONS 50‑11‑310, 50‑11‑335, 50‑11‑430, ALL AS AMENDED, RELATING TO THE DIVISION OF THE STATE INTO GAME ZONES, SMALL GAME SEASONS, SMALL GAME BAG LIMITS, THE OPEN SEASON FOR ANTLERED DEER, THE BAG LIMIT ON ANTLERED DEER, AND BEAR HUNTING, SO AS TO DECREASE THE NUMBER OF GAME ZONES, REVISE THE DATES FOR THE VARIOUS SMALL GAME SEASONS, TO REVISE THE SMALL GAME BAG LIMITS FOR THE VARIOUS GAME ZONES, REVISE THE DATES FOR THE VARIOUS ANTLERED DEER OPEN SEASON; AND TO REPEAL SECTION 50‑11‑2110 RELATING TO FIELD TRIALS IN AND PERMITS FOR GAME ZONE NINE.

S. 997 -- Senator Jackson: A BILL TO AMEND SECTION 40‑67‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SPEECH PATHOLOGISTS AND AUDIOLOGISTS PRACTICE ACT, SO AS TO ADD, REVISE, AND DELETE DEFINITIONS; TO AMEND SECTION 40‑67‑50, RELATING TO LICENSURE FEES, SO AS TO ADD, REVISE, AND DELETE FEES; TO AMEND SECTION 40‑67‑220, RELATING TO LICENSURE REQUIREMENTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40‑67‑260, RELATING TO ANNUAL AUDITS OF LICENSURE RECORDS THAT THE BOARD MAY CONDUCT, SO AS TO PROVIDE THE BOARD MAY CONDUCT THESE AUDITS BIENNIALLY INSTEAD OF ANNUALLY; AND TO AMEND SECTION 40‑67‑280, RELATING TO ACTIVATION OF AN INACTIVE LICENSE, SO AS TO REQUIRE SUBMISSION OF A FORM DEVELOPED AND PROVIDED BY THE BOARD.

**SECOND READING BILL**

The following Bill, having been read the second time, was ordered placed on the Third Reading Calendar:

H. 4633 -- Reps. Gambrell, Gagnon, Bowen, Putnam, Thayer and White: A BILL TO AMEND ACT 510 OF 1982, AS AMENDED, RELATING TO THE ANDERSON COUNTY BOARD OF EDUCATION, SO AS TO REAPPORTION THE DISTRICTS FROM WHICH BOARD MEMBERS ARE ELECTED; AND TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF THE FIVE ANDERSON COUNTY SCHOOL DISTRICTS, SO AS TO REAPPORTION THESE DISTRICTS.

Senator O’DELL explained the Bill.

**AMENDED, READ THE SECOND TIME**

S. 940 -- Senators Young, Massey, Setzler and Peeler: A BILL TO AMEND SECTION 4‑10‑470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO ALLOW A COUNTY THAT DOES NOT COLLECT A CERTAIN AMOUNT IN ACCOMMODATIONS TAX TO IMPOSE THE SALES TAX SO LONG AS NO PORTION OF THE COUNTY AREA IS SUBJECT TO MORE THAN TWO PERCENT TOTAL SALES TAX.

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

Senator YOUNG proposed the following amendment (BBM\940C003.BBM.HTC14), which was adopted:

Amend the bill, as and if amended, by striking Section 4‑10‑470(B), as contained in SECTION 1, beginning on page 1, and inserting:

/ (B)(1) The Education Capital Improvements Sales and Use Tax authorized by this article also may be imposed in a school district without regards to the requirements of subsection (A) if:

(a) at any time, no portion of the school district in which the tax is to be imposed is subject to more than two percent total local sales tax; and

(b) the school district in which the tax is to be imposed encompasses the entire county area of one county and extends into one adjacent county.

(2) Notwithstanding any other provision of this article, if the Education Capital Improvements Sales and Use Tax is imposed pursuant to this subsection, then:

(a) stated in calendar years, the tax may not be imposed for more than ten years;

(b) at least ten percent of the proceeds must be used to provide property tax relief by using the proceeds to offset the existing debt service millage levy on general obligation bonds pursuant to Section 4‑10‑445; and

(c) the total debt service on bonds issued by the school district resulting from the imposition, net of any premium or accrued interest, shall not exceed ninety percent of the total amount of Education Capital Improvements Sales and Use Tax proceeds estimated to be allocated to the school district during the imposition, minus any amounts dedicated to property tax relief. The Board of Economic Advisors shall provide the estimate of the total amount.

(3) The State Treasurer, in consultation with the governing body of the imposing district and the county treasurers and auditors of the affected counties, shall distribute and administer the revenues as provided in this article, mutatis mutandis. A resolution for the imposition of the tax in the school district must be directed to the election commissions of the affected counties and a referendum required pursuant to this article must be conducted in the school district. The question in the referendum must be revised to reflect the imposition of the tax in the school district rather than the county. If a majority of those voting in the school district approve the tax, then the tax is imposed in the school district as provided in this article and all references in this article to county, with respect to the imposition, administration, collection, and distribution of the revenues of the tax are deemed to mean the school district. Definitions included in Section 4‑10‑415 must be construed to extend to a tax allowed to be imposed pursuant to this subsection.

(4) Notwithstanding any other provision of law, if, within a school district there is imposed the Education Capital Improvements Sales and Use Tax pursuant to this subsection, then no other sales tax may be imposed in that school district if the subsequent imposition causes the total sales tax to exceed two percent in any portion of the school district. This limitation applies so long as this subsection is utilized to impose the Education Capital Improvements Sales and Use Tax.

(5) Notwithstanding any other provision of law, if the tax imposed pursuant to this subsection and another sales tax are approved at the same referendum, and the approval of both subjects any portion of the school district to more than two percent total local sales tax, then only the tax whose approving resolution was adopted first may be imposed, and the other tax is deemed to not have been approved.

(6) For purposes of this subsection, a sales tax is a tax levied pursuant to this chapter, pursuant to Chapter 37, Title 4, or pursuant to any local law enacted by the General Assembly.

(C) Notwithstanding any other provision of this section, the Education Capital Improvements Sales and Use Tax authorized by this article also may be imposed in a county so long as the county or school district imposed a local sales and use tax to fund education capital improvements on January 1, 2014. The Education Capital Improvements Sales and Use Tax may be imposed pursuant to this subsection at any time after the local sales and use tax terminates.” /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Senator CLEARY proposed the following amendment (BH\940C017.BH.DG14), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 4‑10‑470, by adding an appropriately lettered subsection to read:

/ (D) The Education Capital Improvements Sales and Use Tax authorized by this article also may be imposed in a county which does not meet the collection requirements of subsection (A) so long as:

(1) the county only has one school district which encompasses the entire county area in which the tax is to be imposed; and

(2) the county collected at least one million dollars in state accommodations taxes as imposed pursuant to Section 12‑36‑920(A) in the most recent fiscal year for which full collection figures are available. Once a county meets this threshold, it thereafter remains eligible to impose this tax pursuant to this subsection. /

Amend title to conform.

Renumber sections to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

**Recorded Vote**

Senator CAMPSEN desired to be recorded as voting against the adoption of the amendment.

The question then was second reading of the Bill.

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

**Ayes 35; Nays 9**

**AYES**

Alexander Allen Bennett

Campbell Cleary Coleman

Courson Cromer Fair

Grooms Hayes Hembree

Hutto Jackson Kimpson

Lourie Malloy *Martin, Larry*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Sheheen Turner

Williams Young

**Total--35**

**NAYS**

Bright Bryant Campsen

Corbin Davis Gregory

*Martin, Shane* Thurmond Verdin

**Total--9**

There being no further amendments, the Bill was read the second time and ordered placed on the Third Reading Calendar.

**READ THE SECOND TIME**

H. 3592 -- Reps. Sandifer and Loftis: A BILL TO AMEND ARTICLE 8, CHAPTER 52, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE “ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007”, SO AS TO DELETE CERTAIN DEFINITIONS, TO CHANGE CERTIFICATION STANDARDS WITH WHICH MAJOR FACILITY PROJECTS MUST COMPLY, TO ELIMINATE REFERENCE TO THE LEED AND GREEN GLOBES CERTIFICATION RATING SYSTEMS, AND TO MAKE TECHNICAL CORRECTIONS.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment.

Senators SHANE MARTIN and CAMPBELL spoke on the amendment.

Senator SHANE MARTIN asked unanimous consent to withdraw the previously proposed amendment.

There was no objection and the amendment was withdrawn.

The question then was second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 817 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑47 SO AS TO REQUIRE PERSONS SEEKING CERTAIN POSITIONS OR WHO VOLUNTEER OR SERVE IN A POSITION SUPPORTED, SPONSORED, OR ADMINISTERED BY THE SOUTH CAROLINA COMMISSION ON NATIONAL AND COMMUNITY SERVICE TO UNDERGO A STATE AND NATIONAL CRIMINAL HISTORY BACKGROUND CHECK AND TO PROVIDE PROCEDURES TO BE FOLLOWED AND FOR THE COSTS OF THE BACKGROUND CHECKS.

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 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 1035 -- Senators Davis, Rankin, Shealy, Cleary, L. Martin, Grooms, Bright, Pinckney, Coleman, Bryant, Verdin and Campbell: A BILL TO AMEND ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO THE CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH ACT OF 1980, TO ENACT THE MEDICAL CANNABIS THERAPEUTIC TREATMENT RESEARCH ACT; TO ESTABLISH THE MEDICAL CANNABIS THERAPEUTIC TREATMENT RESEARCH PROGRAM AT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE FOR PATIENTS ELIGIBLE TO PARTICIPATE IN THE PROGRAM; TO PROVIDE WHO AND UNDER WHAT CIRCUMSTANCES MEDICAL CANNABIS CAN BE ADMINISTERED TO A PATIENT; TO PROVIDE FOR NOTICE TO A PARTICIPATING PATIENT THAT THE PATIENT WILL BE PARTICIPATING IN A RESEARCH STUDY AND OF THE EXPERIMENTAL NATURE OF THE MEDICAL CANNABIS PROGRAM; TO PROVIDE FOR THE PROTECTION OF A PARTICIPATING PATIENT’S PERSONAL INFORMATION; TO PROVIDE FOR THE OPERATION OF THE PROGRAM BY THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE REPORTING REQUIREMENTS BY ACADEMIC MEDICAL CENTERS THAT SUPERVISE OR ADMINISTER MEDICAL CANNABIS TREATMENTS; AND TO PROVIDE CRIMINAL AND CIVIL IMMUNITY FROM STATE ACTIONS OR SUITS ARISING FROM THE PROPER IMPLEMENTATION OF THIS ACT; AND TO PROVIDE THAT THE STATE SHALL DEFEND STATE EMPLOYEES WHO, IN GOOD FAITH, CARRY OUT THE PROVISIONS OF THIS ACT; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COLLABORATE WITH ACADEMIC MEDICAL CENTERS TO ASSIST INTERESTED PATIENTS WITH THE APPLICATION PROCESS TO PARTICIPATE IN EXISTING UNITED STATES FOOD AND DRUG ADMINISTRATION APPROVED INVESTIGATIONAL NEW DRUG STUDIES CONCERNING MEDICAL CANNABIS.

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

Senator DAVIS proposed the following amendment (S-1035-DAVIS-1), which was adopted:

Amend the bill, as and if amended, page 9, by striking line 42 and inserting:

/ Institute on Drug Abuse.

(E) Nothing in this article prohibits a physician licensed in South Carolina from applying for Investigational New Drug authorization from the United States Food and Drug Administration. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**CARRIED OVER**

H. 3919 -- Reps. Owens, Bowen, Patrick, Taylor, Anderson, Allison, Brannon, Loftis, Ballentine, Rivers, Huggins, Knight, Simrill, King, Willis, Whitmire, McCoy, Anthony, Crosby, Neal, Clyburn, Barfield, Bedingfield, R.L. Brown, Cobb‑Hunter, George, Hayes, Hiott, Hixon, Hosey, Lucas, Pope, Putnam, G.R. Smith, Wells, Wood, Whipper, Mitchell, Robinson‑Simpson and Dillard: A BILL TO AMEND SECTION 59‑18‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXIT EXAM REQUIRED FOR HIGH SCHOOL GRADUATION, SO AS TO PROVIDE THAT ALL STUDENTS MUST TAKE THE EXIT EXAM TO GRADUATE BUT NEED NOT ATTAIN ANY MINIMUM SCORE ON THE EXIT EXAM TO GRADUATE, TO PROVIDE AN ELIGIBLE STUDENT WHO PREVIOUSLY FAILED TO RECEIVE A HIGH SCHOOL DIPLOMA OR WAS DENIED GRADUATION SOLELY FOR FAILING THE EXIT EXAM MAY REENROLL IN HIGH SCHOOL AND WILL NOT HAVE TO PASS THE EXIT EXAM TO RECEIVE A HIGH SCHOOL DIPLOMA, AND TO REQUIRE THE DEPARTMENT OF EDUCATION TO REMOVE ANY CONFLICTING REQUIREMENTS AND PROMULGATE CONFORMING CHANGES IN ITS APPLICABLE REGULATIONS; TO AMEND SECTION 59‑48‑35, RELATING TO REQUIREMENTS FOR A DIPLOMA FROM THE SPECIAL SCHOOL OF SCIENCE AND MATHEMATICS, AND SECTION 59‑139‑60, RELATING TO THE DUTY OF THE STATE BOARD OF EDUCATION TO REVIEW STUDENT PERFORMANCE ON ASSESSMENT TESTING AND TO MONITOR THE PERFORMANCE OF SCHOOLS AND SCHOOL DISTRICTS, ALL SO AS TO MAKE CONFORMING CHANGES; AND TO CREATE THE HIGH SCHOOL ASSESSMENT STUDY COMMITTEE TO CONSIDER WHETHER THE HIGH SCHOOL ASSESSMENT PROGRAM SHOULD REMAIN THE ACCOUNTABILITY ASSESSMENT USED BY THE STATE AND TO RECOMMEND AN ALTERNATIVE IF NECESSARY, TO PROVIDE FOR THE COMPOSITION AND STAFFING OF THE STUDY COMMITTEE, TO REQUIRE THE COMMITTEE REPORT CERTAIN INFORMATION TO THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE TERMINATION OF THE STUDY COMMITTEE.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment as printed in the journal of March 25, 2014.

Senator SHANE MARTIN asked unanimous consent to withdraw the previously proposed amendment.

There was no objection and the amendment was withdrawn.

The question then was adoption of the committee amendment.

Senators HUTTO and HAYES proposed the following amendment (AGM\3919C010.AGM.AB14), which was adopted:

Amend the committee report, as and if amended, by adding an appropriately numbered SECTION at the end of Part II, entitled Conforming and Miscellaneous Amendments, to read:

/ SECTION \_\_\_. Article 3, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑325. (A) All students entering the eleventh grade for the first time in school year 2014‑2015 and subsequent years must be administered a career readiness assessment and a college readiness assessment as required by the federal Individuals with Disabilities Education Improvement Act and by Title 1 of the Elementary and Secondary Education Act and that are provided by vendors procured by the department. Students will have the option of choosing a college readiness assessment, either the SAT or ACT Plus Writing. The results of the assessments must be provided to each student, their respective schools, and to the State to:

(1) assist students, parents, teachers, and guidance counselors in developing individual graduation plan and in selecting courses aligned with each student’s future ambitions;

(2) promote South Carolina’s Work Ready Communities initiative; and

(3) meet federal and state accountability requirements.

(B) Students may subsequently use the results of these assessments to apply to college or to enter careers. The results must be added as part of each student’s permanent record and maintained at the department for at least ten years. The purpose of the results is to provide instructional information to assist students, parents, and teachers to plan for each student’s course selection. This course selection might include remediation courses, dual‑enrollment courses, advanced placement courses, internships, or other options during the remaining semesters in high school. /

Renumber sections to conform.

Amend title to conform.

Senator HAYES explained the amendment.

The amendment was adopted.

Senators HAYES and HUTTO proposed the following amendment (AGM\3919C011.AGM.AB14), which was adopted:

Amend the committee report, as and if amended, Section 59‑18‑310(B), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ “(B)(1) The statewide assessment program must include the subjects of English/language arts, mathematics, science, and social studies in grades three through eight, as delineated in Section 59‑18‑320(B), to be first administered in 2009, ~~an exit examination in English/language arts and mathematics to be first administered in a student’s second year of high school enrollment beginning with grade nine,~~ and end‑of‑course tests for gateway courses awarded units of credit in English/language arts, mathematics, science, and social studies. Student performance targets must be established following the 2009 administration. The assessment program must be used for school and school district accountability purposes beginning with the 2008‑2009 school year. The publication of the annual school and school district report card may be delayed for the 2008‑2009 school year until no later than February 15, 2010. A student’s score on an end‑of‑year assessment may not be the sole criterion for placing the student on academic probation, retaining the student in his current grade, or requiring the student to attend summer school. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end‑of‑course examinations are administered to receive the state high school diploma. Beginning with the graduating class of 2015, students are no longer required to meet the exit examination requirements set forth in this section and State Regulation to earn a South Carolina high school diploma.

(2) A person who is no longer enrolled in a public school and who previously failed to receive a high school diploma or was denied graduation solely for failing to meet the exit exam requirements set forth in Section 59‑18‑310(B) and State Regulation, may petition the local school board to determine the student’s eligibility to receive a high school diploma pursuant to this chapter. The local school board will transmit diploma requests to the South Carolina Department of Education in accordance with department procedures. Petitions under this section must be submitted to the local school district by December 31, 2015. Students receiving diplomas in accordance with this section shall not be counted as graduates in the graduation rate calculations for affected schools and districts, either retroactively or in current or future calculations. On or before January 31, 2017, the South Carolina Department of Education shall report to the State Board of Education and the General Assembly, the number of diplomas granted, by school district, under the provision. The State Board of Education shall remove any conflicting requirement and promulgate conforming changes in its applicable regulations. The department shall advertise the provisions of this item in at least one daily newspaper of general circulation in the area of each school district within forty‑five days after this enactment. At a minimum, this notice must consist of two columns measuring at least ten inches in length and measuring at least four and one‑half inches in combined width, and include:

(a) a headline printed in at least a twenty‑four point font that is boldfaced;

(b) an explanation of who qualifies for the petitioning option;

(c) an explanation of the petition process;

(d) a contact name and phone number; and

(e) the deadline for submitting a petition.” /

Amend the bill further, Section 59‑48‑35, as contained in SECTION 2, by deleting the SECTION in its entirety and inserting:

/ SECTION 2. Section 59‑48‑35 of the 1976 Code is amended to read:

“Section 59‑48‑35. The students enrolled in the Special School of Science and Mathematics who earn a total of twenty units of credit distributed as specified in the Defined Minimum Program for South Carolina school districts~~, who pass the exit examination described in Section 59‑30‑10(f),~~ and who meet the school’s requirements for graduation are eligible to receive a state high school diploma. The board of the Special School, in its discretion, may issue its own high school diploma.” /

Amend the bill further by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_. Section 59‑18‑950 of the 1976 Code is amended to read:

“Section 59‑18‑950. Notwithstanding another provision of law to the contrary, the Education Oversight Committee may base ratings for school districts and high schools on criteria that include graduation rates~~, exit examination performance,~~ and other criteria identified by technical experts and appropriate groups of educators and workforce advocates.” /

Amend the bill further, Part III by deleting Part III in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator HAYES explained the amendment.

The amendment was adopted.

The Committee on Education proposed the following amendment (AGM\3919C004.AGM.AB14), which was adopted:

Amend the bill, as and if amended, Section 59‑18‑310(B)(2), as contained in SECTION 1, by deleting the item in its entirety and inserting:

/ (2) Beginning with the 2014‑2015 school year, each student must take the exit exam required in item (1) to graduate from high school, but a student’s score on the exit exam may not be used as criterion for graduation and a student must not be required to achieve any minimum score to graduate. A person who is no longer enrolled in a public school and who previously failed to receive a high school diploma or was denied graduation solely for failing to meet the exit exam requirements set forth in Section 59‑18‑310(B) and State Regulation, may petition the local school board to determine the student’s eligibility to receive a high school diploma pursuant to this chapter. The local school board will transmit diploma requests to the South Carolina Department of Education in accordance with department procedures. Petitions under this section must be submitted to the local school district by December 31, 2015. Students receiving diplomas in accordance with this section shall not be counted as graduates in the graduation rate calculations for affected schools and districts, either retroactively or in current or future calculations. On or before January 31, 2017, the South Carolina Department of Education shall report to the State Board of Education and the General Assembly, the number of diplomas granted, by school district, under the provision. The State Board of Education shall remove any conflicting requirement and promulgate conforming changes in its applicable regulations.” /

Renumber sections to conform.

Amend title to conform.

Senator HAYES explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

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

**MOTION ADOPTED**

At 4:55 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CARRIED OVER**

S. 148 -- Senators Shealy, Bryant, Gregory and Alexander: A BILL TO AMEND CHAPTER 20, TITLE 37 OF THE 1976 CODE, RELATING TO CONSUMER IDENTITY THEFT PROTECTION, BY ADDING SECTION 37‑20‑161, TO PROVIDE FOR CERTAIN MEASURES TO SAFEGUARD A CLASS OF “PROTECTED CONSUMERS” FROM BECOMING VICTIMS OF IDENTITY THEFT, TO ALLOW REPRESENTATIVES, PROVIDING SUFFICIENT PROOF OF AUTHORITY, TO PLACE A PREEMPTIVE SECURITY FREEZE ON PROTECTED CONSUMER’S CREDIT REPORTS, TO PROVIDE THE LIMITATIONS OF THIS SECTION, TO PROVIDE REQUIREMENTS TO IMPLEMENT A SECURITY FREEZE, TO PROVIDE FOR THE DURATION AND EXTENT OF A SECURITY FREEZE, AND TO PROVIDE TERMS FOR REMOVAL OF A SECURITY FREEZE ON A PROTECTED CONSUMER’S CREDIT REPORT OR RECORD.

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

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**DEBATE INTERRUPTED**

S. 516 -- Senators Peeler, Fair, Hayes, Courson and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA READ TO SUCCEED ACT”; BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND A READING PROFICIENCY PANEL WITHIN THE OFFICE, AND TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF EDUCATION, SCHOOL DISTRICTS, COLLEGES, AND UNIVERSITIES THAT OFFER CERTAIN RELATED GRADUATE EDUCATION, AND EDUCATORS AND ADMINISTRATORS, AMONG OTHER THINGS.

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

Senator PEELER explained the Bill.

**ACTING PRESIDENT PRESIDES**

Senator CROMER assumed the Chair.

**Motion Adopted**

On motion of Senator PEELER, the Senate stood adjourned.

**MOTION ADOPTED**

On motion of Senator McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Phyllis Lifrage of Kingstree, S.C. Phyllis was a senior customer service representative at Farmers Telephone Co-Op and a member of Kingstree First Baptist Church. She was a loving wife, devoted mother and doting grandmother.

and

**MOTION ADOPTED**

On motion of Senator McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert L. Mims of Kingstree, S.C. Robert was retired from Edward & Mims Insurance. He was a Mason, Shriner and a member of Williamsburg Presbyterian Church. Robert was a loving husband, devoted father and doting grandfather.

**ADJOURNMENT**

At 5:38 P.M., on motion of Senator PEELER, the Senate adjourned to meet tomorrow at 11:00 A.M.

**Recorded Vote**

Senator BRIGHT desired to be recorded as voting against the motion to adjourn.

\* \* \*