**Thursday, April 10, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

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

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

In the final verse of Psalm 31, the Psalmist admonishes us to:

“Be strong and take heart, all you who hope in the Lord.”

(Psalm 31:24)

All of you join me as we bow in prayer:

Glorious Lord, for so many of Your servants the week ahead is a time of incredible memory and blessing. Palm Sunday, Holy Week, Passover: we find ourselves reminded again and again of Your faithfulness through the centuries to all of Your people, and we give You praise. May this period especially be a time when each Senator recommits herself and himself to labor to Your glory and on behalf of all South Carolinians. Grant each leader strength; give them unfailing hope; bring about glorious and meaningful benefits for every woman, man, and child. In Your precious name we pray, Lord. Amen.

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

**Point of Quorum**

At 11:10 A.M., Senator PEELER 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 Bennett Campbell

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Rankin

Scott Setzler Shealy

Turner Williams Young

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointment**

Initial Appointment, Cherokee County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Phillip Daniel Gibson, 152 Planters Drive, Gaffney, SC 29341 *VICE* Ms. Bobbie Beattie

**Leave of Absence**

On motion of Senator JACKSON, at 11:05 A.M., Senator LOURIE was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator WILLIAMS, at 11:06 A.M., Senator KIMPSON was granted a leave of absence for the day.

**Leave of Absence**

At 1:15 P.M., Senator THURMOND requested a leave of absence for Tuesday, April 15th and Wednesday, April 16th of next week.

**CO-SPONSOR ADDED**

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

S. 1145 Sen. Grooms

**RECALLED AND ADOPTED**

S. 1199 -- Senator Courson: A CONCURRENT RESOLUTION TO DECLARE MAY 2014 AS “HOMESCHOOL RECOGNITION MONTH” IN SOUTH CAROLINA, TO RECOGNIZE THE DILIGENT EFFORTS OF HOMESCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, AND TO EXPRESS SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL‑BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN.

Senator COURSON asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Education.

The Concurrent Resolution was recalled from the Committee on Education.

Senator COURSON asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

**RECALLED**

S. 75 -- Senator Cromer: A BILL TO AMEND SECTION 40‑57‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE RENEWALS FOR REAL ESTATE BROKERS AND SALESMEN, SO AS TO REQUIRE A CRIMINAL BACKGROUND CHECK FROM A SOURCE APPROVED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; AND BY ADDING SECTION 40‑57‑245 SO AS TO REQUIRE THAT THE DEPARTMENT ASSIGN ONE INVESTIGATOR FOR EVERY TWO THOUSAND FIVE HUNDRED LICENSEES TO ENSURE COMPLAINTS ARE PROCESSED AND CONSIDERED IN AN EXPEDITIOUS MANNER.

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

The Bill was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

S. 1214 -- Senators S. Martin, Peeler, Reese, Bright and Corbin: A BILL TO AMEND SECTION 7‑7‑490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAMES OF FOUR PRECINCTS.

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

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

**Motion to Ratify Adopted**

At 11:40 A.M., Senator LARRY MARTIN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1216 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE THE CITY OF CAYCE AS A VITAL PART OF THE PALMETTO STATE AND TO DECLARE WEDNESDAY, MAY 14, 2014, AS "CITY OF CAYCE DAY" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1217 -- Senators L. Martin, Campsen, Malloy, Peeler, Alexander, McGill, Hayes and Williams: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 28, 2014, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2014, AND TO FILL THE SUBSEQUENT FULL TERM WHICH WILL EXPIRE JUNE 30, 2020; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2018, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT‑LARGE SEAT TEN, WHOSE TERM EXPIRES JUNE 30, 2015; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN REPRESENTATIVE OF THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2018; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2014; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING THREE SUCCESSOR MEMBERS TO FILL VACANCIES OR EXPIRED TERMS ON THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2-15-10 FROM THE CANDIDATES NOMINATED BY LEGISLATIVE AUDIT COUNCIL NOMINATING COMMITTEE PURSUANT TO SECTION 2-15-10, SO AS TO FILL THE TERMS WHICH EXPIRE JUNE 30, 2019.

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

S. 1218 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29‑3-665 SO AS TO PROHIBIT DEFICIENCY JUDGMENTS AGAINST A UNIT OR PROPERTY OWNER IN A HORIZONTAL PROPERTY REGIME OR PLANNED UNIT DEVELOPMENT IF THE HOMEOWNERS' ASSOCIATION OR SIMILAR ENTITY TAKES TITLE TO THE UNIT OR PROPERTY BY WAY OF A MASTER'S DEED DUE TO THE FAILURE OF THE OWNER TO PAY REQUIRED REGIME FEES OR DUES AND IF THE HOMEOWNERS' ASSOCIATION OR OTHER ENTITY, AFTER TAKING AND KEEPING TITLE, FAILS TO SERVICE THE DEBT ON THE UNIT OR PROPERTY, THEREBY SUBJECTING IT TO ANOTHER FORECLOSURE ACTION, AND TO PROVIDE FOR OTHER PROCEDURAL PROVISIONS PERTAINING TO THE ABOVE INCLUDING A LIMITATION ON ATTORNEY FEE’S WHERE THE UNIT OR PROPERTY IS SUBJECT TO FORECLOSURE BY THE HOMEOWNERS' ASSOCIATION OR OTHER ENTITY FOR NONPAYMENT OF DUES OR REGIME FEES.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 1219 -- Education Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-25-57 SO AS TO PROVIDE THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW, SCHOOL DISTRICTS UNIFORMLY MAY NEGOTIATE SALARIES BELOW THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2014-2015 SCHOOL YEAR FOR RETIRED TEACHERS WHO ARE NOT PARTICIPANTS IN THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM, AND TO EXTEND THIS NEGOTIATION OPTION TO SCHOOL DISTRICTS THROUGH JULY 1, 2020.

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

S. 1220 -- Senators McElveen and Malloy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ERIC PATRICK MCKNIGHT OF ST. CHARLES FOR HIS OUTSTANDING CAREER AS A HIGH SCHOOL BASKETBALL OFFICIAL AND TO CONGRATULATE HIM FOR BEING SELECTED TO THE SOUTH CAROLINA BASKETBALL OFFICIALS ASSOCIATION HALL OF FAME.

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The Senate Resolution was adopted.

S. 1221 -- Senator Hayes: A BILL TO AMEND SECTION 38‑73‑736, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTOMOBILE INSURANCE RATE REDUCTIONS FOR NON-YOUTHFUL OPERATORS, SO AS TO DELETE REFERENCES TO APPROVED DRIVER TRAINING REFRESHER COURSES AND TO REDUCE FROM SIX HOURS TO FOUR HOURS THE AMOUNT OF CLASSROOM TRAINING REQUIRED FOR APPROVED DRIVER TRAINING COURSES.

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Read the first time and referred to the Committee on Banking and Insurance.

H. 5032 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OAKLAND AVENUE FROM ITS INTERSECTION WITH NORFOLK STREET TO ITS INTERSECTION WITH WILSON ROAD IN THE CITY OF FLORENCE “REVEREND DR. VANDROTH BACKUS WAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF ROADWAY THAT CONTAIN THE WORDS “REVEREND DR. VANDROTH BACKUS WAY”.

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

**REPORTS OF STANDING COMMITTEES**

**Appointments Reported**

Senator COURSON from the Committee on Education submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2010, and to expire April 1, 2014

At-Large:

Thomas R. Love, 233 Moss Ave., McCormick, SC 29836 *VICE* Mrs. Janet L. Duncan

Received as information.

Reappointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2014, and to expire April 1, 2018

At-Large:

Thomas R. Love, 233 Moss Ave., McCormick, SC 29836

Received as information.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2013, and to expire April 1, 2018

At-Large:

Daniel B. Shonka, 121 Springdale Ct., Central, SC 29630 *VICE*  Wayne Moseley

Received as information.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

**Statewide Appointment**

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2012, and to expire April 6, 2018

5th Congressional District:

Gretchen Love Balin, 2016 Stone Quarter Court, York, SC 29745 *VICE* Dr. Albert W. Platt III

Received as information.

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

**Statewide Appointments**

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2011, and to expire July 27, 2014

4th Congressional District:

Stephen H. Mudge, 1209 Thorneblade Blvd., Greer, SC 29650 *VICE* Elizabeth Belenchia

Received as information.

Reappointment, Jobs Economic Development Authority, with the term to commence July 27, 2014, and to expire July 27, 2017

4th Congressional District:

Stephen H. Mudge, 1209 Thornblade Blvd., Greer, SC 29650

Received as information.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2012, and to expire May 31, 2015

Christopher E. Barczarichk, 2965 North Main St., Columbia, SC 29201 *VICE* Joel W. Norwood

Received as information.

Reappointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2013, and to expire August 15, 2017

At-Large:

Charles E. Gardner, 127 Haviland Avenue, Greenville, SC 29607

Received as information.

**Message from the House**

Columbia, S.C., April 9, 2014

Mr. President and Senators:

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

H. 4820 -- Reps. Norman, King, Long, D.C. Moss, Delleney, Felder, V.S. Moss, Pope and Simrill: A BILL TO AMEND ACT 473 OF 2002, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO ESTABLISH AND REAPPORTION THESE ELECTION DISTRICTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., April 9, 2014

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., April 10, 2014

Mr. President and Senators:

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

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.

**Message from the House**

Columbia, S.C., April 10, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

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.

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

**THIRD READING BILLS**

The following Bill and Joint Resolution were read the third time and ordered sent to the House of Representatives:

S. 1198 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WATER POLLUTION CONTROL PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4444, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 1178 -- Senators Hembree and Campsen: A BILL TO AMEND ARTICLE 10, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO WILDLIFE MANAGEMENT AREAS, TO PROVIDE THAT A HUNTER’S PRIVILEGE TO PARTICIPATE IN LOTTERY HUNTS MAY BE REVOKED IF A DEPARTMENT OF NATURAL RESOURCES ENFORCEMENT OFFICER WITNESSES, OR HAS PROBABLE CAUSE TO BELIEVE THAT, A VIOLATION OF THE ARTICLE HAS OCCURRED; AND TO PROVIDE FOR REMEDIES IF THE HUNTER IS NOT CONVICTED OF VIOLATIONS OF THIS ARTICLE ARISING FROM THE LOTTERY HUNT.

**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; AND MAKE CERTAIN OTHER CHANGES RELATED TO 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.

S. 375 -- Senators Hutto, L. Martin, Johnson and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 6 SO AS TO ENACT THE “DILAPIDATED BUILDINGS ACT”, TO PROVIDE DEFINITIONS, TO PROVIDE THAT A MUNICIPALITY MAY BRING A CAUSE OF ACTION AGAINST THE OWNER OF PROPERTY NOT IN SUBSTANTIAL COMPLIANCE WITH CERTAIN MUNICIPAL ORDINANCES, TO IDENTIFY WHO MAY SERVE AS A COURT‑APPOINTED RECEIVER FOR PROPERTY SUBJECT TO THIS CAUSE OF ACTION, TO DESIGNATE THE POWERS OF A COURT‑APPOINTED RECEIVER, TO ESTABLISH REPORTING REQUIREMENTS OF THE MUNICIPALITY CONCERNING A VIOLATION AGAINST WHICH THE MUNICIPALITY MAY BRING A CAUSE OF ACTION UNDER THIS ACT, AND TO PROVIDE CERTAIN REMEDIES AND PROCEDURES.

On motion of Senator SHANE MARTIN, 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.

On motion of Senator YOUNG, 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 SCOTT, 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.

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

S. 894 -- Senators Massey and Alexander: 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.

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

S. 1187 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE MANUFACTURED HOUSING BOARD, RELATING TO FINANCIAL RESPONSIBILITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4438, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Joint Resolution.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 1188 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CONTRACTORS LICENSING BOARD, RELATING TO REGULATIONS ADMINISTERING FIRE PROTECTION SPRINKLER SYSTEMS ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4418, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Joint Resolution.

On motion of Senator MASSEY, the Joint Resolution was carried over.

S. 919 -- Senator L. Martin: A BILL TO AMEND SECTION 43‑7‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FALSE CLAIMS, STATEMENTS, AND REPRESENTATIONS FOR PURPOSES OF QUALIFYING FOR AND RECEIVING PAYMENT FOR AND REIMBURSEMENT OF MEDICAID CLAIMS AND BENEFITS, SO AS TO PROHIBIT ANY PERSON FROM ENGAGING IN THE PROHIBITED CONDUCT AND TO EXPAND OFFENSES AND PENALTIES FOR VIOLATING THE PROVISIONS OF THE ARTICLE; AND TO AMEND SECTION 43‑7‑90, RELATING TO ENFORCEMENT OF THE ARTICLE, SO AS TO PROVIDE THE ATTORNEY GENERAL, OR A DESIGNEE, ADDITIONAL POWERS.

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

S. 1207 -- Medical Affairs Committee: A BILL TO AMEND SECTION 24‑21‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24‑21‑560, AS AMENDED, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24‑21‑670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

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

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.

On motion of Senator MASSEY, 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 MALLOY, the Resolution was carried over.

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 700 -- Senator Thurmond: A BILL TO AMEND SECTION 17‑1‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF RECORDS WHERE CHARGES HAVE BEEN DISMISSED, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON’S OR ENTITY’S PUBLICLY AVAILABLE WEBSITE A MUG SHOT OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED, DISMISSED, OR THE PERSON HAS BEEN FOUND NOT GUILTY, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE MUG SHOT FROM THE PERSON’S OR ENTITY’S WEBSITE WITHIN THIRTY DAYS OF THE PERSON SENDING A WRITTEN REQUEST TO THE PERSON OR ENTITY, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE SUCH MUG SHOTS.

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

The Committee on Judiciary proposed the following amendment (JUD0700.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 27-43, and page 3, by striking lines 1-2, and inserting:

/ (E)(1) A person or entity who publishes on the person or entity’s website the arrest and booking records, including mug shots, of a person who is arrested and booked in South Carolina is deemed to be transacting business in South Carolina.

(2) Except as provided in item (3), within thirty days of the sending of a written request by a person described in subsection (A), including the person’s name, date of birth, date of arrest, and the name of the arresting law enforcement agency, a person or entity shall, without fee or compensation, remove from the person or entity’s website any arrest and booking records, including mug shots, of the person described in subsection (A).

(3) If the original charge against the person described in subsection (A) is discharged or dismissed as a result of the person pleading to a lesser offense, the person or entity who publishes the website is not required to remove the records; however, the person or entity shall change any published information to reflect the lesser offense instead of the original charge.

(4) The written request must be sent via certified mail, return receipt requested, to the registered agent, principal place of business, or primary residence of the person or entity who publishes the website.

(5) A person or entity who publishes a website and violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or be imprisoned not more than thirty days, or both.

(6) A person described in subsection (A) may file a civil cause of action against a person or entity who publishes a website and violates this subsection.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The committee amendment was adopted.

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

**OBJECTION**

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”.

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

Senator FAIR moved to table the motion to carry over the Bill.

Senator NICHOLSON objected to further consideration of the Bill.

**Point of Order**

S. 139 -- Senators Grooms, L. Martin, Campbell and Rankin: A BILL TO AMEND SECTION 56‑5‑1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION AND PROVIDE A DEFINITION FOR THE TERMS “HIGHWAY WORK ZONE” AND “HIGHWAY WORKER”, TO CREATE THE OFFENSES OF “ENDANGERMENT OF A HIGHWAY WORKER” AND “AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER”, AND TO PROVIDE PENALTIES FOR BOTH OFFENSES; TO AMEND SECTION 56‑1‑720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT “ENDANGERMENT OF A HIGHWAY WORKER” AND “AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER” ARE TWO POINT VIOLATIONS; AND TO REPEAL SECTION 56‑5‑1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 755 -- Senator Thurmond: A BILL TO AMEND SECTION 30‑2‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OBTAINING OR USING PERSONAL INFORMATION OBTAINED FROM A STATE AGENCY FOR COMMERCIAL SOLICITATION, SO AS TO PROVIDE THAT THE SECTION APPLIES TO STATE AND LOCAL AGENCIES.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 897 -- Senator Coleman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑11‑723 SO AS TO PROVIDE THAT A PERSON WHO RETIRES FROM A SOLICITOR’S OFFICE MAY PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS REGARDLESS OF WHETHER THE COUNTY IN WHICH HE IS EMPLOYED AT THE TIME OF HIS RETIREMENT PARTICIPATES IN THESE PLANS, AMONG OTHER THINGS, AND TO MAKE THESE PROVISIONS RETROACTIVE TO JANUARY 1, 2012.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**Point of Order**

H. 4076 -- Reps. R.L. Brown, Harrell, Cobb‑Hunter, Bingham, Wells, H.L. Ott, K.R. Crawford, Neal, Mitchell, Bedingfield, Jefferson, King, Williams, Clyburn, Hosey, Owens, Whipper and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑1‑180 SO AS TO REQUIRE EACH COUNTY AND MUNICIPALITY THAT MAINTAINS FEDERAL TAX INFORMATION TO IMPLEMENT A POLICY THAT SAFEGUARDS THE INFORMATION, AND TO PROVIDE THAT THE POLICY MUST BE NO LESS STRINGENT THAN THE MANNER IN WHICH THE INTERNAL REVENUE SERVICE PROTECTS THE INFORMATION.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1086 -- Senators Hayes and L. Martin: A BILL TO AMEND SECTION 1‑11‑490, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROVIDING NOTICE OF A BREACH OF SECURITY OF STATE AGENCY DATA, SO AS TO REQUIRE THAT THE NOTICE DESCRIBE THE BREACH AND PROVIDE CONTACT INFORMATION WHERE ASSISTANCE MAY BE OBTAINED, INCLUDING THE DEPARTMENT OF CONSUMER AFFAIRS, AND TO DELETE A PROVISION ALLOWING AN AGENCY TO ADHERE TO ITS OWN POLICY; AND TO AMEND SECTION 39‑1‑90, RELATING TO PROVIDING NOTICE OF A BREACH OF SECURITY OF BUSINESS DATA, SO AS TO PROVIDE THE SAME NOTICE REQUIREMENTS AND TO DELETE THE SAME PROVISION.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1172 -- Senators Nicholson, Hayes, Turner, Sheheen, L. Martin, McGill, Alexander, O’Dell, Johnson, Scott and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60‑15‑75 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF CRITERIA AND GUIDELINES FOR STATE‑DESIGNATED CULTURAL DISTRICTS BY THE SOUTH CAROLINA ARTS COMMISSION, TO STATE THE INTENDED PURPOSE OF THE CULTURAL DISTRICTS, AND TO PROVIDE RELATED POWERS AND DUTIES OF THE COMMISSION WITH RESPECT TO THE CULTURAL DISTRICTS.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1194 -- Senator Hayes: A JOINT RESOLUTION TO ALLOW CERTAIN SCHOOL DISTRICTS TO USE SUMMER READING PROGRAM FUNDS TO PARTNER WITH THE STATE DEPARTMENT OF EDUCATION’S SUMMER READING LOSS PREVENTION PROJECT TO PROVIDE BOOKS TO CERTAIN STUDENTS OVER THE SUMMER, AND TO ALLOW PARTNERING SCHOOL DISTRICTS TO CARRY FORWARD UNEXPENDED FUNDS FOR SUMMER READING CAMP PROGRAMS.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**Point of Order**

H. 3125 -- Reps. Hodges, M.S. McLeod, Mitchell, Whipper, R.L. Brown, Hiott, Toole, Hardee, Cobb‑Hunter, Dillard and Robinson‑Simpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “MICROENTERPRISE DEVELOPMENT ACT” BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO PROVIDE THAT THE DEPARTMENT OF COMMERCE SHALL ESTABLISH THE MICROENTERPRISE PARTNERSHIP PROGRAM TO PROMOTE AND FACILITATE THE DEVELOPMENT OF MICROENTERPRISES IN THIS STATE AND TO DEFINE “MICROENTERPRISE” AS A BUSINESS, WHETHER NEW OR EXISTING, INCLUDING STARTUP, HOME‑BASED, AND SELF EMPLOYMENT, WITH FIVE OR FEWER EMPLOYEES; TO PROVIDE THAT THE DEPARTMENT SHALL AWARD GRANTS TO COMMUNITY ORGANIZATIONS TO MAKE LOANS AND DEVELOP LOAN SOURCES; TO ESTABLISH CRITERIA TO BE CONSIDERED IN AWARDING GRANTS; TO PROVIDE THAT APPROPRIATED FUNDS MAY BE AWARDED AS A GRANT TO MICROLOAN DELIVERY ORGANIZATIONS AND THAT SUCH GRANTS MUST BE MATCHED BY NONSTATE FUNDS; TO PROVIDE THE PURPOSE FOR WHICH GRANT FUNDS MAY BE EXPENDED; TO PROVIDE CERTAIN PROVISIONS THAT MUST BE IN A CONTRACT BETWEEN THE DEPARTMENT AND A STATEWIDE MICROLENDING SUPPORT ORGANIZATION; AND TO REQUIRE THE STATE TO SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**Point of Order**

H. 4921 -- Reps. Bingham, Allison, Anthony and Hayes: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW, SCHOOL DISTRICTS UNIFORMLY MAY NEGOTIATE SALARIES BELOW THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2014‑2015 SCHOOL YEAR FOR RETIRED TEACHERS WHO ARE NOT PARTICIPANTS IN THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM.

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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

**MADE SPECIAL ORDER**

S. 1145 -- Senators Hayes, Fair and Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑490 SO AS TO PROHIBIT SPECIFIED AGENCIES AND ENTITIES FROM PROVIDING ANY INDIVIDUAL STUDENT DATA OR ANY DATA THAT MAY BE USED TO IDENTIFY INDIVIDUAL STUDENTS TO THE UNITED STATES DEPARTMENT OF EDUCATION, ANY OTHER AGENCY OF THE FEDERAL GOVERNMENT, OR ANY THIRD PARTY WITHOUT PERMISSION OF THE GENERAL ASSEMBLY BY A JOINT RESOLUTION; BY ADDING SECTION 59‑18‑355 SO AS TO PROVIDE FOR REQUIRED CRITERIA AND PROCEDURES TO REVISE CERTAIN STATE CONTENT STANDARDS OR FOR A NEW STANDARD OR A CHANGE IN A CURRENT STANDARD; TO AMEND SECTION 59‑18‑310, RELATING TO THE DEVELOPMENT OR ADOPTION OF A STATEWIDE ASSESSMENT PROGRAM TO PROMOTE STUDENT LEARNING AND MEASURE STUDENT PERFORMANCE, SO AS TO DELETE EXIT EXAMINATION REQUIREMENTS FOR STUDENTS BEGINNING WITH THE GRADUATING CLASS OF 2015, AND TO FURTHER PROVIDE FOR THE MANNER IN WHICH A STUDENT WHO DID NOT RECEIVE A HIGH SCHOOL DIPLOMA BECAUSE OF A FAILURE TO MEET THE EXIT EXAMINATION REQUIREMENT MAY RECEIVE A HIGH SCHOOL DIPLOMA; BY ADDING SECTION 59‑18‑325 SO AS TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL ADMINISTER CERTAIN NEW ASSESSMENTS TO STUDENTS IN SPECIFIED GRADES IN THE 2014‑2015 SCHOOL YEAR AND IN FUTURE SCHOOL YEARS FOR PARTICULAR ASSESSMENTS; TO AMEND SECTION 59‑18‑350, AS AMENDED, RELATING TO THE CYCLICAL REVIEW AND ANALYSIS OF STATE STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE FOR THE TIMELINE FOR A REVIEW OF STATE STANDARDS FOR SPECIFIED SUBJECTS, AND TO REVISE THE DURATION OF PREVIOUS CONTENT STANDARDS; TO AMEND SECTION 59‑18‑950, RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS, SO AS TO REVISE THIS CRITERIA; TO AMEND SECTION 59‑48‑35, RELATING TO REQUIREMENTS FOR A DIPLOMA FOR STUDENTS ENROLLED IN THE SPECIAL SCHOOL OF SCIENCE AND MATHEMATICS, SO AS TO DELETE THE EXIT EXAMINATION REQUIREMENT; TO REPEAL SECTION 59‑139‑60 RELATING TO VARIOUS ASSESSMENTS OF STUDENTS, SCHOOLS, AND SCHOOL DISTRICTS; AND TO PROVIDE THAT ON THE EFFECTIVE DATE OF THIS ACT SOUTH CAROLINA SHALL NO LONGER BE A GOVERNING OR ADVISORY STATE IN THE SMARTER BALANCED ASSESSMENT CONSORTIUM, AND FURTHER THAT SOUTH CAROLINA MAY NOT ADOPT OR ADMINISTER THE SMARTER BALANCED ASSESSMENT.

Senator PEELER moved that the Bill be set for Special Order.

The Bill was set for Special Order.

**MOTION ADOPTED**

At 12:28 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**Expression of Personal Interest**

Senator GROOMS rose for an Expression of Personal Interest.

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

**READ THE THIRD TIME, SENT TO THE HOUSE**

S. 516 -- Senators Peeler, Fair, Hayes, Courson, Young, Setzler, Malloy, Leatherman, Lourie, L. Martin, Johnson, Jackson, Allen, Rankin, Scott and Pinckney: 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 third reading of the Bill.

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED DEBATE INTERRUPTED**

S. 866 -- Senators L. Martin and Campsen: A BILL TO AMEND CHAPTER 5, TITLE 7, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO COUNTY ELECTION COMMISSIONS AND BOARDS OF VOTER REGISTRATION, TO REPLACE CURRENT COUNTY ELECTION COMMISSIONS AND REGISTRATION BOARDS, TO DEVOLVE THEIR RESPONSIBILITIES AND AUTHORITY TO A COMBINED BOARD OF VOTER REGISTRATION AND ELECTIONS FOR EACH COUNTY, TO PROVIDE FOR THE APPOINTMENT OF BOARD MEMBERS, AND TO ESTABLISH TERMS, DUTIES, AND AUTHORITY FOR THE BOARDS; TO REPEAL SECTION 7‑5‑35 AND SECTION 7‑13‑70; AND TO REPEAL CHAPTER 27, TITLE 7 RELATING TO INDIVIDUAL COUNTY BOARDS AND COMMISSIONS.

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

Senator LARRY MARTIN explained the Bill.

**Objection**

Senator GROOMS asked unanimous consent to make a motion to give S. 866 a second reading today, carrying over all amendments to third reading, and then that the Senate would stand adjourned.

Senator SCOTT objected.

**Objection**

Senator GROOMS asked unanimous consent to make a motion to give S. 866 a second reading today, carrying over all amendments to third reading, that the provisions of Rule 26B be waived and any members wishing to be recorded as voting against second reading be allowed to notify the desk and then that the Senate would stand adjourned.

Senator HUTTO objected.

**Expression of Personal Interest**

Senator RANKIN rose for an Expression of Personal Interest.

**Remarks by Senator RANKIN**

Folks give me your attention if you will. I don’t demand attention for many things we do because we have so much going on in here, but I want to call attention to my father's birthday. My father is eighty-seven years old today and right now, my wife, my mother, and some of my family are at Brightwater, where my father is in the memory care unit and has been since the end of June.

But I will tell you, as was heard yesterday at the First Baptist Church, Wendell Estepp gave the profit and loss message as they do on Wednesdays, and will do one more next week. He spoke about what is perfect for me calling attention to my father’s birthday. He spoke about the four portraits hanging in the Smithsonian Art Museum that focus on the cycles and stages of life: youth, middle age, older age, and the latter stage of life, where my father is right now. My mother, who is watching, and I’m not going to say it Mamma if you are watching, which I know you are, a young age and a healthy age. But I am excited to call attention to this because he is not able to be here, and he will see this and it will make him smile. He will know my name, as he introduces me to everyone in the unit, and says, “He’s a lawyer. If you need a lawyer, ask for Luke.” Senator MALLOY, that’s my kind of marketing isn’t it?

A man who has gone through the stages of life and who is celebrating with the happiest spirit right now, in spite of dementia, in spite of physical infirmity, but with a bright, bright spirit. He has gone through the stages of life with optimism and I’ll say a levity, a sense of humor, that I think I have inherited some of. So when I am making jokes, and I am trying to instill a little bit of levity into this body, into our committee process, or into my life, my father taught me to do that. My father was the brass in the family and my mother is the class in the family. Some of you don’t think I have either, or enough of one, or the other perhaps.

But I am excited that my father is alive. He is the last of five siblings and the next to the youngest of these siblings, who graced me with a great name, and who graced me with an opportunity to serve and do for others. My father always encouraged me, us in the Rankin family, and others to do for others. Do for others. Give. Of those who much is given, much is expected. He has preached that to me. I love my father, I love my mother, and I want you to join with me, and I want us to clap so that Boo Boo Rock Rankin can hear us wish him happy birthday.

On motion of Senator PEELER, with unanimous consent, the remarks of Senator RANKIN were ordered printed in the Journal.

**Amendment No. P1**

Senators CAMPSEN, LARRY MARTIN, HUTTO and SCOTT proposed the following amendment (JUD0866.007), which was adopted:

Amend the committee report, as and if amended, by striking lines 26‑29 on page [866-1] and inserting:

/ upon the recommendation of the legislative delegation of the counties, not less than ~~three~~ five nor more than ~~five~~ nine competent /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD0866.002), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 34-42 and page 2 by striking lines 1-2 and inserting:

/ upon the recommendation of a majority of the weighted vote of the Senate legislative delegation and a majority of the weighted vote of the House of Representatives legislative delegation of the counties, not less than ~~three~~ five nor more than ~~five~~ nine competent and discreet persons in each county, who are qualified electors of that county and who must be known as the ‘Board of Voter Registration and Elections of County’. At least one appointee on the board shall be a member of the majority political party represented in the General Assembly and at least one appointee shall be a member of the largest minority political party represented in the General Assembly. /

Amend the bill further, as and if amended, page 2 by striking lines 27-29 and inserting:

/ (2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee shall immediately notify the Governor who shall then remove the member from office. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the committee amendment.

The committee amendment was adopted.

**Motion Adopted**

On motion of Senator LEATHERMAN, the Senate stood adjourned.

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Cherokee County Board of Voter Registration, with the term to commence March 15, 2014, and to expire March 15, 2016

Phillip Daniel Gibson, 152 Planters Drive, Gaffney, SC 29341 *VICE* Ms. Bobbie Beattie

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 10, 2014, at 1:15 P.M. and the following Acts were ratified:

(R166, S. 137) -- Senators Lourie, L. Martin, Hayes, Fair, Davis, Ford, Cromer, Grooms and Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “EMMA’S LAW”; TO AMEND SECTION 56‑1‑286, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OF A PERSON UNDER THE AGE OF TWENTY‑ONE FOR HAVING AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, TO REDUCE THE TIME PERIOD FROM FIVE TO THREE YEARS IN WHICH A PERSON WHO REFUSES TO TAKE A BREATH TEST MUST HAVE HIS DRIVING RECORD EVALUATED TO DETERMINE WHETHER HIS DRIVING PRIVILEGE SUSPENDED FOR ONE YEAR FOR PREVIOUSLY VIOLATING A PROVISION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, TO REDUCE THE TIME PERIOD FROM FIVE TO THREE YEARS IN WHICH A PERSON WHO HAS AN ALCOHOL CONCENTRATION OF TWO ONE‑HUNDREDTHS OF ONE PERCENT OR MORE MUST HAVE HIS DRIVING RECORD EVALUATED TO DETERMINE WHETHER HIS DRIVING PRIVILEGE IS SUSPENDED FOR ONE YEAR FOR PREVIOUSLY VIOLATING A PROVISION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, TO DELETE REFERENCES TO SECTION 56‑5‑2950, TO DELETE THE TERM “ADMINISTRATIVE HEARING” AND REPLACE IT WITH THE TERM “CONTESTED CASE HEARING”; TO AMEND SECTION 56‑1‑400, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE, A DRIVER’S LICENSE RENEWAL OR ITS RETURN, AND THE ISSUANCE OF A DRIVER’S LICENSE THAT RESTRICTS THE DRIVER TO OPERATING ONLY A VEHICLE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE FOR THE ISSUANCE OF AN IGNITION INTERLOCK RESTRICTED LICENSE FOR THE VIOLATION OF CERTAIN MOTOR VEHICLE OFFENSES, TO PROVIDE A FEE FOR THE LICENSE, AND TO PROVIDE FOR THE DISPOSITION OF FEES COLLECTED FROM THE ISSUANCE OF THE LICENSE, TO REVISE THE PERIOD OF TIME THAT A PERSON’S DRIVER’S LICENSE MUST BE SUSPENDED WHEN HE REFUSES TO HAVE AN IGNITION INTERLOCK DEVICE INSTALLED ON HIS VEHICLE WHEN REQUIRED BY LAW AND WHEN HE CONSENTS TO HAVE THE DEVICE INSTALLED ON HIS VEHICLE, TO REVISE THE PROCEDURE WHEREBY A PERSON WHO ONLY MAY OPERATE A VEHICLE DURING THE TIME FOR WHICH HE IS SUBJECT TO HAVING AN IGNITION INTERLOCK DEVICE INSTALLED ON A VEHICLE MAY OBTAIN PERMISSION FROM THE DEPARTMENT OF MOTOR VEHICLES TO DRIVE A VEHICLE THAT IS NOT EQUIPPED WITH THIS DEVICE; TO AMEND SECTION 56‑1‑460, AS AMENDED, RELATING TO DRIVING A MOTOR VEHICLE WITH A CANCELED, SUSPENDED, OR REVOKED DRIVER’S LICENSE, SO AS TO REVISE THE PENALTY FOR A THIRD OR SUBSEQUENT OFFENSE, MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THIS PROVISION APPLIES ALSO TO A DRIVER’S LICENSE THAT IS SUSPENDED OR REVOKED PURSUANT TO SECTION 56‑5‑2945; TO AMEND SECTION 56‑1‑748, AS AMENDED, RELATING TO THE ISSUANCE OF A RESTRICTED DRIVER’S LICENSE TO A PERSON WHO IS INELIGIBLE TO OBTAIN A SPECIAL RESTRICTED DRIVER’S LICENSE, SO AS TO MAKE TECHNICAL CHANGES, AND TO ALLOW A PERSON WHO POSSESSES A ROUTE-RESTRICTED DRIVER’S LICENSE TO USE THE DRIVER’S LICENSE TO ATTEND ALCOHOL AND DRUG SAFETY ACTION PROGRAM CLASSES OR A COURT-ORDERED DRUG PROGRAM IN ADDITION TO THE OTHER PERMITTED USES OF THE DRIVER’S LICENSE; TO REPEAL SECTION 56‑1‑1310 RELATING TO THE DEFINITION OF THE TERM “CONVICTED”; TO AMEND SECTION 56‑1‑1320, RELATING TO THE ISSUANCE OF A PROVISIONAL DRIVER’S LICENSE BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO MAKE TECHNICAL CHANGES; TO REPEAL SECTION 56‑1‑1350 RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIREMENT THAT A PERSON MUST PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AND ASSURANCE OF HIS ACCEPTANCE INTO AN ALCOHOL TRAFFIC SAFETY SCHOOL PRIOR TO BEING ISSUED A PROVISIONAL DRIVER’S LICENSE; TO AMEND SECTION 56‑5‑2941, AS AMENDED, RELATING TO THE REQUIREMENT THAT A PERSON WHO IS CONVICTED OF CERTAIN OFFENSES SHALL HAVE AN IGNITION INTERLOCK DEVICE INSTALLED ON ANY MOTOR VEHICLE HE DRIVES, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS SECTION APPLIES TO AN OFFENSE CONTAINED IN SECTION 56‑5‑2947, TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO CERTAIN PROVISIONS OF LAW, TO REVISE THE PROCEDURES THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL FOLLOW WHEN IT WAIVES OR WITHDRAWS THE WAIVER OF THE REQUIREMENTS OF THIS SECTION, TO REVISE THE TIME THAT A DEVICE IS REQUIRED TO BE AFFIXED TO A MOTOR VEHICLE, TO REVISE THE LENGTH OF TIME A PERSON MUST HAVE A DEVICE INSTALLED ON A VEHICLE BASED UPON THE ACCUMULATION OF POINTS UNDER THE IGNITION INTERLOCK DEVICE POINT SYSTEM, TO PROVIDE FOR THE USE OF FUNDS CONTAINED IN THE IGNITION INTERLOCK DEVICE FUND, TO REVISE THE AMOUNT THIS IGNITION INTERLOCK SERVICE PROVIDER SHALL COLLECT AND REMIT TO THE IGNITION INTERLOCK DEVICE FUND, TO PROVIDE A PENALTY FOR A PERSON’S FAILURE TO HAVE THE IGNITION INTERLOCK DEVICE INSPECTED EVERY SIXTY DAYS OR FAILS TO COMPLETE A RUNNING RETEST OF THE DEVICE, TO REVISE THE INFORMATION THAT MUST BE CONTAINED IN AN INSPECTION REPORT OF A DEVICE AND PENALTIES ASSOCIATED WITH VIOLATIONS CONTAINED IN THE REPORT, TO DECREASE THE NUMBER OF IGNITION INTERLOCK DEVICE POINTS THAT MAY BE APPEALED, TO PROVIDE THAT THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES MUST PROVIDE A NOTICE OF ASSESSMENT OF IGNITION INTERLOCK DEVICE POINTS THAT MUST ADVISE A PERSON OF HIS RIGHT TO REQUEST A CONTESTED CASE HEARING BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS AND THAT UNDER CERTAIN CIRCUMSTANCE HIS RIGHT TO A HEARING IS WAIVED, TO PROVIDE THE PROCEDURE TO OBTAIN A HEARING, THE POTENTIAL OUTCOMES THAT MAY RESULT FROM A HEARING, AND THE PROCEDURES TO BE FOLLOWED DURING THE HEARING, TO REVISE THE TIME PERIOD IN WHICH A PERSON MAY APPLY FOR THE REMOVAL OF AN IGNITION INTERLOCK DEVICE FROM A MOTOR VEHICLE AND THE REMOVAL OF THE RESTRICTION FROM THE PERSON’S DRIVER’S LICENSE, TO REVISE THE PENALTIES APPLICABLE TO A PERSON WHO IS SUBJECT TO THE PROVISIONS OF THIS SECTION AND IS FOUND GUILTY OF VIOLATING THEM, TO REQUIRE A PERSON WHO OPERATES AN EMPLOYER’S VEHICLE PURSUANT TO THIS SECTION TO HAVE A COPY OF THE DEPARTMENT OF MOTOR VEHICLE’S FORM, CONTAINED IN SECTION 56‑1‑400, TO PROVIDE THAT OBSTRUCTING OR OBSCURING THE CAMERA LENS OF AN IGNITION INTERLOCK DEVICE CONSTITUTES TAMPERING, TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO CERTAIN LEASED VEHICLES, TO PROVIDE THAT A DEVICE MUST CAPTURE A PHOTOGRAPHIC IMAGE OF THE DRIVER AS HE OPERATES THE IGNITION INTERLOCK DEVICE, TO PROVIDE THAT THESE IMAGES MAY BE USED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO AID ITS MANAGEMENT OF THE IGNITION INTERLOCK DEVICE PROGRAM, TO PROVIDE THAT NO POLITICAL SUBDIVISION OF THE STATE MAY BE HELD LIABLE FOR ANY INJURY CAUSED BY A PERSON WHO OPERATES A MOTOR VEHICLE AFTER THE USE OR ATTEMPTED USE OF AN IGNITION INTERLOCK DEVICE, AND TO PROVIDE RESTRICTIONS ON THE USE AND RELEASE OF INFORMATION OBTAINED REGARDING A PERSON’S PARTICIPATION IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56‑5‑2942, AS AMENDED, RELATING TO THE IMMOBILIZATION OF A PERSON’S VEHICLE UPON HIS CONVICTION OF AN ALCOHOL‑RELATED DRIVING OFFENSE, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO VEHICLES OWNED OR REGISTERED TO A PERSON WHO HOLDS A VALID IGNITION INTERLOCK RESTRICTED LICENSE, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56‑5‑2945, AS AMENDED, RELATING TO THE OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF DRUGS OR ALCOHOL AND GREAT BODILY INJURY OR DEATH OCCURS, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION RELATING TO THE PERIOD OF INCARCERATION THAT MUST BE IMPOSED UPON A PERSON FOR A CONVICTION OF A CRIME CONTAINED IN THIS SECTION WHEN GREAT BODILY INJURY OR DEATH OCCURS, AND TO PROVIDE THAT AFTER A PERSON IS RELEASED FROM PRISON AFTER A CONVICTION FOR AN OFFENSE CONTAINED IN THIS SECTION, HE IS REQUIRED TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, HAVE THE SUSPENSION OF HIS DRIVER’S LICENSE ENDED, AND OBTAIN AN IGNITION INTERLOCK RESTRICTED LICENSE, AND TO SPECIFY THE PERIOD OF TIME IN WHICH AN IGNITION INTERLOCK DEVICE MUST BE AFFIXED TO A MOTOR VEHICLE FOR CERTAIN CONVICTIONS; TO AMEND SECTION 56‑5‑2947, AS AMENDED, RELATING TO THE OFFENSE OF CHILD ENDANGERMENT, SO AS TO MAKE TECHNICAL CHANGES, TO REVISE THE PERIOD OF A DRIVER’S LICENSE SUSPENSION FOR A CONVICTION FOR THE VARIOUS INFRACTIONS CONTAINED IN THIS SECTION, TO PROVIDE THAT A PERSON CONVICTED OF CHILD ENDANGERMENT FOR CERTAIN INFRACTIONS CONTAINED IN THIS SECTION SHALL ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, HAVE HIS PERIOD OF DRIVER’S LICENSE SUSPENDED, AND OBTAIN AN IGNITION INTERLOCK RESTRICTED DRIVER’S LICENSE, TO PROVIDE THE PERIOD OF TIME AN IGNITION INTERLOCK DEVICE MUST BE AFFIXED TO A MOTOR VEHICLE, TO REVISE THIS EFFECTIVE DATE OF ENROLLMENT IN AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM AND THE ISSUANCE OF A PROVISIONAL DRIVER’S LICENSE, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56‑5‑2950, AS AMENDED, RELATING TO A PERSON WHO OPERATES A MOTOR VEHICLE GIVING IMPLIED CONSENT TO SUBMIT TO CHEMICAL TESTS TO DETERMINE THE PRESENCE OF ALCOHOL OR DRUGS IN HIS BODY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT CERTAIN PERIODS OF DRIVER’S LICENSE SUSPENSION CONTAINED IN THIS SECTION MAY BE ENDED IF A PERSON ENROLLS IN THE IGNITION INTERLOCK DEVICE PROGRAM, AND TO DELETE THE TERM “ADMINISTRATIVE HEARING” AND REPLACE IT WITH THE TERM “CONTESTED CASE HEARING”; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OF A PERSON WHO REFUSES TO BE TESTED TO DETERMINE HIS ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE TERM “ADMINISTRATIVE HEARING” AND REPLACE IT WITH THE TERM “CONTESTED CASE HEARING”, TO REQUIRE THAT A PERSON WHO DOES NOT REQUEST A CONTESTED CASE HEARING ENROLL IN AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM, TO PROVIDE AN EXCEPTION TO CERTAIN PERIODS OF DRIVER’S LICENSE SUSPENSION OR ISSUANCE OF A LICENSE OR PERMIT CONTAINED IN THIS SECTION IF A PERSON ENROLLS IN THE IGNITION INTERLOCK DEVICE PROGRAM, OBTAINS AN IGNITION INTERLOCK RESTRICTED LICENSE, AND HAS AN IGNITION INTERLOCK DEVICE AFFIXED TO CERTAIN MOTOR VEHICLES FOR A CERTAIN PERIOD OF TIME, TO REVISE THE LIST OF OFFENSES THAT ARE APPLICABLE TO THIS PROVISION, TO REVISE THE CONDITIONS THAT MUST BE MET BEFORE A PERSON’S PRIVILEGE TO OPERATE A VEHICLE MUST BE RESTORED, AND TO DELETE THE DEPARTMENT OF MOTOR VEHICLES AUTHORITY TO PROMULGATE REGULATIONS UNDER THIS SECTION; AND TO AMEND SECTION 56‑5‑2990, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE FOR A VIOLATION OF CERTAIN ALCOHOL AND DRUG-RELATED DRIVING OFFENSES, SO AS TO MAKE TECHNICAL CHANGES, TO REVISE THE PENALTIES CONTAINED IN THIS PROVISION, TO SPECIFY THE OFFENSES THAT ARE CONSIDERED PRIOR OFFENSES, TO REVISE THE LIST OF OFFENSES THAT ARE COVERED BY THIS PROVISION, AND TO PROVIDE THE CIRCUMSTANCES UPON WHICH THE DEPARTMENT OF MOTOR VEHICLES MAY WAIVE THE SUCCESSFUL COMPLETION OF THE ALCOHOL AND DRUG SAFETY PROGRAM AS A MANDATORY REQUIREMENT OF THE ISSUANCE OF AN IGNITION INTERLOCK RESTRICTED LICENSE.

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(R167, S. 714) -- Senator Hutto: AN ACT TO AMEND CHAPTER 15, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NONGAME AND ENDANGERED SPECIES CONSERVATION ACT, SO AS TO RENAME THIS CHAPTER “NONGAME AND ENDANGERED SPECIES”, TO DESIGNATE THE CHAPTER’S EXISTING SECTIONS AS “ARTICLE 1 NONGAME AND ENDANGERED WILDLIFE SPECIES”, TO DELETE THE SECTION THAT REGULATES ALLIGATOR HUNTING, CONTROL, AND MANAGEMENT, TO ADD ARTICLE 3 TO THIS CHAPTER ENTITLED THE “SOUTH CAROLINA CAPTIVE ALLIGATOR PROPAGATION ACT” WHICH ALLOWS THE DEPARTMENT OF NATURAL RESOURCES TO REGULATE THE BUSINESS OF PROPAGATING ALLIGATORS FOR COMMERCIAL PURPOSES AND THE HUNTING, CONTROL, AND MANAGEMENT OF ALLIGATORS; BY ADDING ARTICLE 5 TO CHAPTER 15, TITLE 50 SO AS TO ENTITLE THIS ARTICLE “ALLIGATOR MANAGEMENT PROGRAM” WHICH ALLOWS THE DEPARTMENT TO REGULATE THE TAKING OF ALLIGATORS UNDER CONTROLLED CONDITIONS AND CIRCUMSTANCES IN COMPLIANCE WITH FEDERAL LAW; AND BY ADDING SECTION 50‑9‑460 SO AS TO PROVIDE FEES TO APPLY FOR, OBTAIN, AND RENEW AN ALLIGATOR PROPAGATION FACILITY PERMIT.

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(R168, S. 842) -- Senator Cleary: AN ACT TO AMEND CHAPTER 12, TITLE 25, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VETERAN’S UNCLAIMED CREMATED REMAINS, SO AS TO PROVIDE THAT A CORONER MAY WORK WITH A VETERANS SERVICE ORGANIZATION TO PROVIDE FOR THE DISPOSITION OF UNCLAIMED CREMATED REMAINS OF A VETERAN PURSUANT TO THE PROVISIONS CONTAINED IN THIS CHAPTER.

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(R169, S. 1028) -- Senator Alexander: AN ACT TO AMEND SECTION 50‑25‑1010, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT OPERATED ON TUGALO LAKE, SO AS TO PROVIDE THAT NO MOTOR IN EXCESS OF TWENTY-FIVE HORSEPOWER SHALL BE USED ON LAKE TUGALO INSTEAD OF TWENTY HORSEPOWER.

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(R170, 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: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑18‑325 SO AS TO PROVIDE THAT ALL STUDENTS ENTERING THE ELEVENTH GRADE FOR THE FIRST TIME IN SCHOOL YEAR 2014‑2015 AND SUBSEQUENT YEARS MUST BE ADMINISTERED A COLLEGE AND CAREER READINESS ASSESSMENT AND A WORKKEYS ASSESSMENT, AND TO PROVIDE FOR THE ACCEPTABLE USES OF THESE ASSESSMENTS RESULTS; TO AMEND SECTION 59‑18‑310, AS AMENDED, RELATING TO THE EXIT EXAM REQUIRED FOR HIGH SCHOOL GRADUATION, SO AS TO ELIMINATE THIS REQUIREMENT FOR STUDENTS BEGINNING WITH THE GRADUATING CLASS OF 2015, TO PROVIDE PROCEDURES THAT FORMER PUBLIC HIGH SCHOOL STUDENTS WHO DID NOT GRADUATE OR RECEIVE A DIPLOMA SOLELY FOR FAILING THIS EXIT EXAM MAY PETITION BY JANUARY 31, 2015 TO OBTAIN A HIGH SCHOOL DIPLOMA, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO ADVERTISE INFORMATION ABOUT THIS PETITION PROCESS TO THE PUBLIC IN A CERTAIN MANNER, TO PROVIDE RELATED REPORTING REQUIREMENTS OF SCHOOL DISTRICTS AND THE DEPARTMENT, AND TO REQUIRE THE DEPARTMENT TO REMOVE ANY CONFLICTING REQUIREMENTS AND PROMULGATE REGULATIONS WITH CONFORMING CHANGES; TO AMEND SECTION 59‑18‑950, RELATING TO PUBLIC SCHOOL AND PUBLIC SCHOOL DISTRICT REPORT CARDS, SECTION 59‑48‑35, RELATING TO THE GOVERNOR’S SCHOOL FOR SCIENCE AND MATHEMATICS, AND SECTION 59‑139‑60, RELATING TO ASSESSMENTS OF EARLY CHILDHOOD ACADEMIC ASSISTANCE, ALL SO AS TO MAKE CONFORMING CHANGES.

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(R171, H. 4574) -- Reps. Hardwick and W.J. McLeod: AN ACT TO AMEND SECTION 40‑23‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE ENVIRONMENTAL CERTIFICATION BOARD, SO AS TO REVISE AND ADD DEFINITIONS; TO AMEND SECTION 40‑23‑90, RELATING TO BOARD INVESTIGATIONS OF COMPLAINTS AGAINST LICENSEES, SO AS TO CHANGE THE MANNER IN WHICH AN INITIAL COMPLAINT MAY BE REFERRED TO AN INVESTIGATOR; TO AMEND SECTION 40‑23‑95, RELATING TO REFERRALS OF VIOLATIONS FROM THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO THE BOARD, SO AS TO ELIMINATE THE AUTHORITY OF THE BOARD WITH RESPECT TO REPORTS OF CERTAIN VIOLATIONS THAT DO NOT ALLEGE UNLICENSED PRACTICE; TO AMEND SECTION 40‑23‑230, RELATING TO LICENSEES, SO AS TO ELIMINATE A PROVISION THAT ENABLES CERTAIN LICENSEES FROM OBTAINING CLASS “A” OR CLASS “B” WELL DRILLER LICENSES WHEN MEETING CERTAIN CRITERIA; TO AMEND SECTION 40‑23‑300, RELATING TO CERTIFICATION CLASSES OF WATER TREATMENT OPERATORS, SO AS TO REVISE CRITERIA FOR TRAINEE WATER OPERATORS AND CLASS “E” WATER TREATMENT OPERATORS; TO AMEND SECTION 40‑23‑310, RELATING TO WATER DISTRIBUTION SYSTEM OPERATOR LICENSES, SO AS TO REVISE CRITERIA FOR TRAINEE WATER DISTRIBUTION SYSTEM OPERATOR AND A CLASS “D” WATER DISTRIBUTION SYSTEM OPERATOR; TO AMEND SECTION 40‑23‑320, RELATING TO LICENSURE AS A CLASS “C” ENVIRONMENTAL, COASTAL, OR ROCK WELL DRILLER, SO AS TO REMOVE THE MINIMUM AGE REQUIREMENTS, AND TO REPLACE THE REQUIREMENT OF HAVING AT LEAST ONE YEAR OF EXPERIENCE AS AN APPRENTICE WITH AT LEAST ONE YEAR OF EXPERIENCE AS A CLASS “D” WELL DRILLER; AND TO AMEND SECTION 40‑23‑340, RELATING TO RESTRICTIONS ON WELL DRILLERS ACCORDING TO CLASSIFICATION OF THE WELL DRILLER, SO AS TO REVISE RESTRICTIONS ON CLASS “D” AND CLASS “C” WELL DRILLERS.

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(R172, H. 4604) -- Reps. Sandifer, Mack and Toole: AN ACT TO AMEND SECTION 40‑22‑280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE LICENSURE REQUIREMENT TO PRACTICE ENGINEERING, SO AS TO PROVIDE AN EXEMPTION FOR CERTAIN ACTIVITIES PERFORMED BY FULL‑TIME EMPLOYEES OR OTHER PERSONNEL OF A MANUFACTURING COMPANY, AND TO DEFINE NECESSARY TERMS.

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(R173, H. 4820) -- Reps. Norman, King, Long, D.C. Moss, Delleney, Felder, V.S. Moss, Pope and Simrill: AN ACT TO AMEND ACT 473 OF 2002, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO ESTABLISH AND REAPPORTION THESE ELECTION DISTRICTS.

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**Statement from Senator McELVEEN**

I was unable to be present in the Senate chamber on April 9 for the vote on S. 137, “Emma’s Law,” because of my participation in the Leadership South Carolina program, as I was chosen as the member of the South Carolina Senate to join this year’s Leadership South Carolina class. Had I been present, I would have voted ‘Aye’ for the Bill’s approval, just as I did when S. 137 was originally taken up in the Senate chamber on February 27, 2013.

**Statement from Senator McELVEEN**

I was unable to be present in the Senate chamber on April 9 for the vote on S. 516, “Read to Succeed”, because of my participation in the Leadership South Carolina program, as I was chosen as the member of the South Carolina Senate to join this year's Leadership South Carolina class. Had I been present, I would have voted ‘Aye’ for the Bill’s second reading as amended.

**ADJOURNMENT**

At 1:27 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

**Recorded Vote**

Senators BRIGHT and CORBIN desired to be recorded as voting against the motion to adjourn.

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