**Tuesday, March 11, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

Moses, reminding us of God’s commands, calls us to:

“Fix these words of mine in your hearts and minds... Teach them to your children...” (Deuteronomy 11:18a, 19a)

Bow in prayer with me, please:

Holy God, such an incredible gift to us are all of the children here in South Carolina. They represent promise and hope for the future; they are counted among our finest resources. Therefore, Lord, enable each one of these Senators to continue to act on doing everything possible to benefit each child of South Carolina: supporting education, assuring that families have access to care as necessary, and helping to open doors for the likely success of every child. May this Senate do these things not only wisely, but also with passionate hearts. We offer this prayer in Your loving name, dear Lord. Amen.

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

**Point of Quorum**

At 12:09 P.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 Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Fair Gregory

Grooms Hayes Hembree

Johnson Kimpson Leatherman

Malloy *Martin, Larry* McElveen

McGill O'Dell Peeler

Rankin Scott Setzler

Shealy Sheheen Thurmond

Turner Williams

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointments**

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

6th Congressional District:

Curtis B. Carter, 2322 Lakeside Street, Orangeburg, SC 29118 *VICE* Jerome Stephens Bilton

Referred to the Committee on Labor, Commerce and Industry.

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

6th Congressional District:

Curtis B. Carter, 2322 Lakeside Street, Orangeburg, SC 29118

Referred to the Committee on Labor, Commerce and Industry.

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

Referred to the Committee on Labor, Commerce and Industry.

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

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2012, and to expire May 30, 2015

Consulting:

Edna Cox Rice, 117 Scotland Dr., Lexington, SC 29072 *VICE* Nancy Taylor

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2013, and to expire April 6, 2017

Veterinary Technicians:

William Marshall Liger III, 415 Parkdale Dr. #14B, Charleston, SC 29414 *VICE* Christine M. Hartman

Referred to the Committee on Agriculture and Natural Resources.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2013, and to expire February 13, 2018

At-Large:

David J. Posek, 274 Doral Dr., Pawleys Island, SC 29585

Referred to the Committee on Transportation.

**Leave of Absence**

On motion of Senator BRYANT, at 12:05 P.M., Senator SHANE MARTIN was granted a leave of absence until 2:30 P.M.

**Leave of Absence**

At 1:30 P.M., Senator O’DELL requested a leave of absence until 3:00 P.M.

**Doctor of the Day**

Senator CROMER introduced Dr. Guy Castles III of Columbia, S.C., Doctor of the Day.

**Expression of Personal Interest**

Senator CLEARY 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 BRIGHT rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 813 Sen. Verdin

S. 1010 Sen. Campsen

**RECALLED**

S. 1090 -- Senators Hembree, Shealy and Courson: A SENATE RESOLUTION TO RECOGNIZE THE DEVASTATING EFFECTS OF DIABETES AND TO PROCLAIM THURSDAY, MARCH 20, 2014, AS “DIABETES AWARENESS DAY” IN SOUTH CAROLINA, COINCIDING WITH SOUTH CAROLINA’S “DIABETES UNDER THE DOME DAY” SPONSORED BY THE DIABETES INITIATIVE OF SOUTH CAROLINA.

Senator HEMBREE asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1092 -- Senators Cromer, Massey, Setzler, Courson and Shealy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE RIVER BLUFF HIGH SCHOOL VARSITY CHEERLEADING SQUAD, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2013 CLASS AAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

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".

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Senator FAIR spoke on the Bill.

Read the first time and referred to the Committee on Corrections and Penology.

S. 1094 -- Senators Shealy, Verdin, Campbell, Jackson, Cleary and Turner: A BILL TO AMEND ARTICLE 3, CHAPTER 10, TITLE 59 OF THE 1976 CODE, RELATING TO NUTRITION STANDARDS, BY ADDING SECTION 59-10-310, TO DEFINE "IN-SCHOOL FUNDRAISER", TO AMEND SECTION 59-10-310, RELATING TO THE ESTABLISHMENT OF ELEMENTARY SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOODS REQUIREMENTS, TO REQUIRE COMPLIANCE WITH FEDERAL STANDARDS AND TO PROVIDE FOR EXCEPTIONS TO THOSE STANDARDS, TO AMEND SECTION 59-10-330(B), RELATING TO SCHOOL HEALTH IMPROVEMENT PLANS, TO REQUIRE THAT THE PLANS COMPLY WITH REQUIREMENTS CONTAINED IN SECTION 59-10-310.

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

S. 1095 -- Senator Cleary: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS AND EXCEPTIONS, SO AS TO PROVIDE THAT A COUNTY GOVERNING BODY MAY BY ORDINANCE SUBJECT TO REFERENDUM APPROVAL IMPOSE UP TO A SIX-TENTHS MILLAGE INCREASE FOR MENTAL HEALTH SERVICES.

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

S. 1096 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS IMPOSED ON THE TAKING OF CERTAIN FISH, TO IMPOSE CATCH LIMITS FOR TAKING OR POSSESSING IN ANY ONE DAY A COMBINATION OF SPOT, WHITING, AND ATLANTIC CROAKER.

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

S. 1097 -- Senator Alexander: 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.

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

S. 1098 -- Senators Bright and Bryant: A BILL TO AMEND SECTION 16-23-20 OF THE 1976 CODE, RELATING TO EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS, TO PROVIDE AN EXCEPTION FOR A PERSON WHO SERVED ON ACTIVE DUTY FOR A PERIOD OF MORE THAN ONE HUNDRED EIGHTY DAYS AND WAS DISCHARGED OR RELEASED FROM ACTIVE DUTY WITH AN HONORABLE DISCHARGE.

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

S. 1099 -- Senators Sheheen and Bryant: A BILL TO AMEND SECTION 41-27-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE DEFINITION OF EMPLOYMENT FOR UNEMPLOYMENT BENEFIT PURPOSES, TO PROVIDE AN EXEMPTION FOR MOTOR CARRIERS THAT UTILIZE INDEPENDENT CONTRACTORS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1100 -- Senators Bryant and Sheheen: A BILL TO AMEND ARTICLE 3, CHAPTER 27, TITLE 41 OF THE 1976 CODE, RELATING TO DEFINITIONS CONCERNING UNEMPLOYMENT BENEFITS AND CLAIMS, BY ADDING SECTION 41-27-265, TO PROVIDE THAT CORPORATE OFFICERS ARE EXEMPT FROM UNEMPLOYMENT BENEFITS UNLESS THE EMPLOYER ELECTS COVERAGE, AND TO PROVIDE FOR THE PROCESS OF ELECTING COVERAGE, AND TO PROVIDE FOR FEDERALLY REQUIRED EXEMPTIONS FROM THE PROVISIONS OF THIS SECTION FOR INDIVIDUALS EMPLOYED BY AN INDIAN TRIBE AND RELIGIOUS, CHARITABLE, EDUCATIONAL, OR OTHER FEDERALLY DEFINED ORGANIZATIONS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1101 -- Senator Peeler: A BILL TO ENACT THE CHEROKEE COUNTY SCHOOL DISTRICT 1 SCHOOL BOND-PROPERTY TAX RELIEF ACT OF 2014 SO AS TO ALLOW, UPON REFERENDUM APPROVAL, THE CHEROKEE COUNTY SCHOOL DISTRICT TO IMPOSE A ONE PERCENT SALES AND USE TAX WITHIN THE COUNTY TO PAY DEBT SERVICE ON SCHOOL BONDS, AND TO SPECIFY THE MANNER IN WHICH THE TAX IS IMPOSED, COLLECTED, AND ADMINISTERED.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1102 -- Senator McElveen: A SENATE RESOLUTION TO EXPRESS SINCERE GRATITUDE TO THE DEDICATED PROFESSIONALS WHO EDUCATE STUDENTS OF THE PALMETTO STATE AND TRAIN THEM TO ASSUME ROLES AS RESPONSIBLE CITIZENS AND TO WELCOME THE SUMTER SCHOOL DISTRICT TEACHER FORUM TO THE CAPITOL.

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The Senate Resolution was adopted.

S. 1103 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ALICE AND ANTHONY HURLEY FOR THEIR SIGNIFICANT ROLE IN FOUNDING COLUMBIA'S POINSETTIA COTILLION AND TO CONGRATULATE THEM UPON BEING NAMED 2014 HONOREES OF THE LITTLE BLACK DRESS SCHOLARSHIP COMMITTEE.

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The Senate Resolution was adopted.

S. 1104 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MARVA NETTLES COLLINS FOR HER CONTRIBUTIONS TO YOUTH AND FOR HER LEADERSHIP IN EDUCATION AS THE FOUNDER OF THE WESTSIDE PREPARATORY SCHOOL AND TO CONGRATULATE HER UPON BEING NAMED A 2014 HONOREE OF THE LITTLE BLACK DRESS SCHOLARSHIP COMMITTEE.

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The Senate Resolution was adopted.

S. 1105 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THELMA BROOKS SALMOND FOR HER CONTRIBUTIONS TO EDUCATION, BUSINESS, AND THE ARTS AND TO CONGRATULATE HER UPON BEING NAMED A 2014 HONOREE OF THE LITTLE BLACK DRESS SCHOLARSHIP COMMITTEE.

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The Senate Resolution was adopted.

S. 1106 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE STUDENTS AND LEADERS OF THE CIVIL RIGHTS STRUGGLE IN SOUTH CAROLINA AND TO COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE MAJOR SUPREME COURT CASES FORWARDING THE CAUSE OF EQUAL CIVIL RIGHTS FOR ALL.

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The Senate Resolution was adopted.

S. 1107 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DR. TERRY C. HULBERT, DISTINGUISHED PROFESSOR EMERITUS AT COLUMBIA INTERNATIONAL UNIVERSITY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS AND COLLEAGUES.

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The Senate Resolution was adopted.

S. 1108 -- Senator Jackson: A SENATE RESOLUTION TO HONOR THE LEGACY OF OUTSTANDING CIVIL RIGHTS ACTIVIST AND HUMANITARIAN MODJESKA MONTEITH SIMKINS AND TO COMMEND THE HISTORIC COLUMBIA FOUNDATION ON THE OPENING OF ITS NEW INTERPRETIVE EXHIBIT AT COLUMBIA'S HISTORIC MODJESKA MONTEITH SIMKINS HOUSE.

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The Senate Resolution was adopted.

S. 1109 -- Senator Lourie: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE A. C. FLORA HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014 CLASS AAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

H. 4345 -- Reps. Pitts and McCoy: A BILL TO AMEND SECTION 50-9-1120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POINT SYSTEM FOR VIOLATIONS RELATING TO HUNTING AND FISHING, SO AS TO REVISE THE POINTS TO BE ASSESSED FOR TRESPASSING TO HUNT OR TRAP AND RAISE THE POINTS FROM TEN TO EIGHTEEN POINTS.

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

H. 4550 -- Rep. Parks: A BILL TO AMEND SECTION 40-35-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING LONG TERM HEALTH CARE ADMINISTRATORS, SO AS TO REVISE AND ADD NECESSARY DEFINITIONS; TO AMEND SECTION 40-35-40, RELATING TO THE LICENSURE OF LONG TERM HEALTH CARE ADMINISTRATORS, SO AS TO REVISE LICENSURE CRITERIA; AND TO AMEND SECTION 40-35-200, RELATING TO THE PROHIBITION AGAINST A PERSON ACTING OR SERVING IN THE CAPACITY OF A NURSING HOME ADMINISTRATOR OR RESIDENTIAL CARE FACILITY ADMINISTRATOR WITHOUT A LICENSE, SO AS TO MAKE A CONFORMING CHANGE.

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

H. 4788 -- Reps. Burns, Bedingfield, Chumley, H. A. Crawford, Goldfinch, Loftis, Norman, Putnam, Stringer, Willis, Wood, Barfield and Douglas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-65 SO AS TO DESIGNATE THE SECOND SUNDAY IN AUGUST AS "SPIRIT OF '45 DAY".

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

H. 4808 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO VACCINATION, SCREENING AND IMMUNIZATION REGARDING CONTAGIOUS DISEASES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4434, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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.

Read the first time and ordered placed on the Local and Uncontested Calendar.

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.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4827 -- Reps. Gagnon and Gambrell: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF SEVEN OR FEWER DAYS THAT SCHOOLS IN THE ABBEVILLE COUNTY SCHOOL DISTRICT CLOSED IN 2014 DUE TO INCLEMENT WEATHER FROM WINTER STORM LEON AND WINTER STORM PAX FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

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

H. 4830 -- Rep. G. A. Brown: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF THREE OR FEWER DAYS THAT SCHOOLS IN THE LEE COUNTY SCHOOL DISTRICT CLOSED IN 2014 DUE TO INCLEMENT WEATHER FROM WINTER STORM LEON AND WINTER STORM PAX FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

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

H. 4857 -- Rep. Bowers: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF ALL DAYS THAT SCHOOLS IN HAMPTON COUNTY SCHOOL DISTRICT ONE AND HAMPTON COUNTY SCHOOL DISTRICT TWO CLOSED IN 2014 DUE TO INCLEMENT WEATHER FROM WINTER STORM LEON AND WINTER STORM PAX FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

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

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.

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

**REPORT OF STANDING COMMITTEE**

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

S. 714 -- Senator Hutto: A BILL 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, AND TO ADD ARTICLE 3 TO THIS CHAPTER WHICH IS 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.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., March 11, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

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.

Very respectfully,

Speaker of the House

Received as information.

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

**PROPOSED AMENDMENT WITHDRAWN**

**AMENDED, CARRIED OVER**

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 adoption of the previously proposed amendment as follows.

Senator YOUNG proposed the following amendment (BH\940C009.BH.DG14), which was withdrawn:

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

/ ( ) Notwithstanding any other provision of this article, if the Education Capital Improvements Sales and Use Tax is imposed pursuant to subsection (B), then the total debt service on bonds issued by a 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. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG asked unanimous consent to withdraw the previously proposed amendment.

There was no objection and the amendment was withdrawn.

Senator YOUNG proposed the following amendment (BH\940C014.BH.DG14), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 4‑10‑470 of the 1976 Code, as added by Act 316 of 2008, is amended to read:

“Section 4‑10‑470. (A) The Education Capital Improvements Sales and Use Tax authorized by this article may only be imposed in counties which have collected at least seven 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.

(B)(1) 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:

(a) at any time, no portion of the county area is subject to more than two percent total sales tax;

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

(c) the county collected at least seven hundred fifty thousand 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.

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

(4) 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 county area to more than two percent total 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.

(5) 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.

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

**CARRIED OVER**

S. 985 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 1, TITLE 6, TO ENACT THE “FAIRNESS IN LODGING ACT” SO AS TO ALLOW MUNICIPALITIES AND COUNTIES BY ORDINANCE TO IMPLEMENT ADDITIONAL ENFORCEMENT PROVISIONS FOR THE BUSINESS LICENSE TAX AND THE LOCAL ACCOMMODATIONS TAX AS THOSE PROVISIONS APPLY TO THE OWNERS OF RESIDENTIAL REAL PROPERTY WHO RENT THE PROPERTY TO TOURISTS, INCLUDING DATA SHARING WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SPECIFIC NOTICE TO PROPERTY OWNERS INCLUDED IN PROPERTY TAX BILLS, AN ADDITIONAL PENALTY THAT MAY BE IMPOSED FOR NONCOMPLIANCE AFTER THE RECEIPT OF SUCH A NOTICE, AND DIRECTIONS TO THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO IDENTIFY “RENTAL BY OWNER” WEBSITES ADVERTISING TOURISTS RENTALS AND REQUEST THEM TO POST ON THE WEBSITES A STATEMENT REGARDING THE LEGAL OBLIGATIONS OF THE OWNERS OF PROPERTY IN THIS STATE LISTED ON THE WEBSITE, TO PAY ALL APPLICABLE LOCAL AND STATE TAXES AND FEES WITH RESPECT TO SUCH RENTALS; AND TO AMEND SECTIONS 6‑1‑120, 12‑54‑240, AS AMENDED, AND 12‑4‑310, RELATING RESPECTIVELY TO THE CONFIDENTIALITY OF LOCAL AND STATE TAX DATA AND EXCEPTIONS THERETO, AND THE DUTIES OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SO AS TO CONFORM THEM TO THE PROVISIONS OF THIS ACT.

Senator CLEARY explained the Bill.

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

**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.

**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.

**CARRIED OVER**

S. 908 -- Senator Hayes: A BILL TO AMEND SECTION 38‑9‑310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING RISK‑BASED CAPITAL, SO AS TO REVISE EXISTING DEFINITIONS AND DEFINE ADDITIONAL TERMS; TO AMEND SECTION 38‑9‑320, RELATING TO PREPARING AND SUBMITTING A RISK‑BASED CAPITAL REPORT, SO AS TO PROVIDE FOR DETERMINING A HEALTH ORGANIZATION’S RISK‑BASED CAPITAL REPORT AND TO PROVIDE THAT EACH RISK FOR A LIFE AND HEALTH INSURER, PROPERTY AND CASUALTY INSURER, AND A HEALTH ORGANIZATION MUST BE DETERMINED IN A CERTAIN MANNER; TO AMEND SECTION 38‑9‑330, AS AMENDED, RELATING TO COMPANY ACTION LEVEL EVENTS, SO AS TO ADD AN ADDITIONAL EVENT CONCERNING A HEALTH ORGANIZATION, AMONG OTHER THINGS; TO AMEND SECTION 38‑9‑360, RELATING TO THE ROLE OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE WHEN A MANDATORY CONTROL LEVEL EVENT OCCURS, SO AS TO ADD PROVISIONS CONCERNING HEALTH ORGANIZATIONS; TO AMEND SECTION 38‑9‑370, RELATING TO HEARINGS AVAILABLE TO A LICENSEE TO CHALLENGE A DETERMINATION OR ACTION BY THE DIRECTOR IN RESPONSE TO A MANDATORY CONTROL LEVEL EVENT, SO AS TO PROVIDE A LICENSEE MAY HAVE THE HEARING CONFIDENTIALLY, ON THE RECORD, AND BEFORE THE DIRECTOR UPON PROVISION OF CERTAIN NOTICE, AND TO PROVIDE THE DIRECTOR SHALL SET A DATE FOR THE HEARING IN A CERTAIN MANNER; TO AMEND SECTION 38‑9‑380, RELATING TO THE CONFIDENTIALITY OF RISK‑BASED CAPITAL REPORTS AND ADJUSTED RISK‑BASED CAPITAL REPORTS, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH THE DIRECTOR MAY SHARE, RECEIVE, AND USE CERTAIN RELATED INFORMATION THAT IS CONFIDENTIAL AND PRIVILEGED; TO AMEND SECTION 38‑9‑430, RELATING TO EXEMPTIONS FROM REPORTING REQUIREMENTS, SO AS TO ADD PROVISIONS CONCERNING DOMESTIC HEALTH ORGANIZATIONS; AND TO AMEND SECTION 38‑9‑340, SECTION 38‑9‑350, SECTION 38‑9‑365, SECTION 38‑9‑390, SECTION 38‑9‑400, SECTION 38‑9‑440, AND SECTION 38‑9‑460, ALL RELATING TO CAPITAL, SURPLUS, RESERVES, AND OTHER FINANCIAL MATTERS, SO AS TO MAKE CONFORMING CHANGES.

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

**CARRIED OVER**

S. 266 -- Senators Gregory, Hayes, Davis, Sheheen, Lourie, Hembree, Fair and Bennett: A JOINT RESOLUTION TO PROVIDE THAT UNTIL JUNE 30, 2016, THE COMMISSION ON HIGHER EDUCATION AND THE PRESIDENTS OF PUBLIC COLLEGES AND UNIVERSITIES SHALL SUPPORT THE EFFORTS OF THE GENERAL ASSEMBLY TO ESTABLISH ACCOUNTABILITY‑BASED FUNDING FOR PUBLIC COLLEGES AND UNIVERSITIES.

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

**CARRIED OVER**

S. 909 -- Senator Hayes: A BILL TO AMEND SECTION 38‑90‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO DEFINE ‘RISK RETENTION GROUP’; TO AMEND SECTION 38‑90‑40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES FORMED AS A RISK RETENTION GROUP; TO AMEND SECTION 38‑90‑50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO INCLUDE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES FORMED AS A RISK RETENTION GROUP; AND TO AMEND SECTION 38‑90‑70, AS AMENDED, SECTION 38‑90‑100, AS AMENDED, SECTION 38‑90‑110, AS AMENDED, AND SECTION 38‑90‑160, AS AMENDED, ALL RELATING TO MISCELLANEOUS REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO MAKE CONFORMING PROVISIONS FOR CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES FORMED AS RISK RETENTION GROUPS.

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

**CARRIED OVER**

S. 839 -- Senators Bryant, Bright and Davis: A BILL TO AMEND TITLE 46 OF THE 1976 CODE, RELATING TO AGRICULTURE, BY ADDING CHAPTER 55 CONCERNING INDUSTRIAL HEMP; TO PROVIDE THAT IT IS LAWFUL TO GROW INDUSTRIAL HEMP IN THIS STATE; TO CLARIFY THAT INDUSTRIAL HEMP IS EXCLUDED FROM THE DEFINITION OF MARIJUANA; TO PROHIBIT GROWING INDUSTRIAL HEMP AND MARIJUANA ON THE SAME PROPERTY OR OTHERWISE GROWING MARIJUANA IN CLOSE PROXIMITY TO INDUSTRIAL HEMP TO DISGUISE THE MARIJUANA GROWTH; AND TO DEFINE NECESSARY TERMS.

Senator HUTTO explained the Bill.

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

**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 SHEALY, the Bill was carried over.

**CARRIED OVER**

S. 1007 -- Senators Campbell and O’Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29‑3‑625 SO AS TO PROVIDE A PROCESS FOR EXPEDITING MORTGAGE FORECLOSURES AND TO DEFINE NECESSARY TERMINOLOGY.

Senator CROMER explained the Bill.

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

**CARRIED OVER**

S. 1075 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO OFFICE OF STATE FIRE MARSHAL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4378, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**CARRIED OVER**

S. 561 -- Senator L. Martin: A BILL TO AMEND SECTION 16‑17‑680 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASING, SELLING, AND TRANSPORTING OF NONFERROUS METALS, SO AS TO DEFINE THE TERM “COIL” AND PROVIDE THAT A SECONDARY METALS RECYCLER MUST NOT PURCHASE OR OTHERWISE ACQUIRE A COIL.

Senator MASSEY explained the Bill.

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

**CARRIED OVER**

S. 1033 -- Senators Campbell, Leatherman, Setzler and O’Dell: A BILL TO AMEND CHAPTER 2, TITLE 12 OF THE 1976 CODE, RELATING TO TAXATION, BY ADDING SECTION 12‑2‑110, TO PROVIDE AN OUT‑OF‑STATE BUSINESS THAT CONDUCTS OPERATIONS WITHIN THIS STATE FOR THE PURPOSES OF PERFORMING WORK OR SERVICES RELATED TO A DECLARED STATE DISASTER OR EMERGENCY DURING A DISASTER PERIOD MUST NOT BE CONSIDERED TO HAVE ESTABLISHED A LEVEL OF PRESENCE THAT WOULD REQUIRE THAT BUSINESS TO REGISTER, FILE, AND REMIT STATE OR LOCAL TAXES OR THAT WOULD REQUIRE THAT BUSINESS OR ITS OUT‑OF‑STATE EMPLOYEES TO BE SUBJECT TO ANY STATE LICENSING OR REGISTRATION REQUIREMENTS OR ANY COMBINATION OF THESE ACTIONS.

Senator O’DELL explained the Bill.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 954 -- Senators Courson and Leatherman: A BILL TO AMEND SECTION 9‑4‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, ORGANIZATION, MEMBERSHIP, AND DUTIES OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY (PEBA), SO AS TO NUMBER PEBA BOARD SEATS, TO PROVIDE FOR THREE‑YEAR TERMS FOR PEBA BOARD MEMBERS, TO STAGGER THE TERMS OF PEBA BOARD MEMBERS, TO PRESCRIBE QUARTERLY PEBA BOARD MEETINGS, AND TO PROVIDE THAT ALL OF PEBA’S ACTIVITIES ARE CARRIED OUT UNDER THE SUPERVISION OF AN EXECUTIVE DIRECTOR APPOINTED BY THE PEBA BOARD; TO AMEND SECTION 1‑11‑710, AS AMENDED, RELATING TO THE STATE INSURANCE PLAN, SO AS TO REQUIRE THE STATE BUDGET AND CONTROL BOARD TO APPROVE THE STATE HEALTH PLAN BY AUGUST FIFTEENTH OF EACH YEAR; TO AMEND SECTION 1‑11‑770, AS AMENDED, RELATING TO THE SOUTH CAROLINA 211 NETWORK, SO AS TO UPDATE A REFERENCE; TO AMEND SECTIONS 9‑1‑1135, 9‑8‑185, 9‑9‑175, AND 9‑11‑265, ALL AS AMENDED, ALL RELATING TO THE PAYMENT OF INTEREST ON INACTIVE RETIREMENT ACCOUNTS, SO AS TO PAY INTEREST ON INACTIVE ACCOUNTS IN THE VARIOUS RETIREMENT SYSTEMS IF A MEMBER IS PROHIBITED FROM WITHDRAWING THE MEMBER’S CONTRIBUTIONS BECAUSE OF ANOTHER PROVISION OF LAW; TO AMEND SECTION 9‑1‑640, AS AMENDED, RELATING TO THE CLASSES OF MEMBERS AND EMPLOYERS IN THE SOUTH CAROLINA RETIREMENT SYSTEM (SCRS), SO AS TO REFLECT CLASS THREE MEMBERSHIP IN SCRS; TO AMEND SECTION 9‑1‑1850, AS AMENDED, RELATING TO SERVICE CREDIT PURCHASES IN SCRS, SO AS TO CLARIFY THAT THE STATUTE ALLOWING THE ESTABLISHMENT OF THREE YEARS OF SERVICE CREDIT APPLIES TO CLASS TWO SCRS MEMBERS ONLY; TO AMEND SECTION 9‑1‑1770, AS AMENDED, RELATING TO THE SCRS DEATH BENEFITS, SO AS TO CONFORM THE INCIDENTAL DEATH BENEFITS STATUTE WITH NEW CLASS THREE ELIGIBILITY PROVISIONS IN SCRS; TO AMEND SECTION 9‑1‑10, AS AMENDED, RELATING TO SCRS DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR “EFFECTIVE DATE OF MEMBERSHIP” IN SCRS; TO AMEND SECTION 9‑11‑10, AS AMENDED, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM (SCPORS), SO AS TO REFLECT CLASS THREE MEMBERSHIP IN SCPORS AND TO PROVIDE A DEFINITION OF “EFFECTIVE DATE OF MEMBERSHIP”; TO AMEND SECTION 9‑11‑40, AS AMENDED, RELATING TO SCPORS MEMBERSHIP, SO AS TO PROVIDE FOR CLASS THREE SERVICE IN SCPORS AND TO CLARIFY THAT ANY SCPORS MEMBER WITH AN EFFECTIVE DATE OF MEMBERSHIP AFTER JUNE 30, 2012, IS A CLASS THREE MEMBER; TO AMEND SECTION 9‑11‑210, AS AMENDED, RELATING TO SCPORS CONTRIBUTIONS, SO AS TO CLARIFY A REFERENCE TO CLASS ONE SERVICE IN SCPORS; TO AMEND SECTION 1‑11‑703, AS AMENDED, RELATING TO EMPLOYEE AND RETIREE HEALTH INSURANCE, SO AS TO SUBSTITUTE “PEBA” FOR “EMPLOYEE INSURANCE PROGRAM” OR “EIP”; TO AMEND SECTION 1‑11‑705, RELATING TO THE RETIREE INSURANCE TRUST FUND, SO AS TO SUBSTITUTE “PEBA” FOR REFERENCES TO “EMPLOYEE INSURANCE PROGRAM” AND TO SUBSTITUTE “PEBA’S SELF‑FUNDED HEALTH PLANS” FOR “EMPLOYEE INSURANCE PROGRAM”; TO AMEND SECTION 1‑11‑707, RELATING TO THE LONG TERM DISABILITY INSURANCE TRUST FUND, SO AS TO SUBSTITUTE “PEBA” FOR “EMPLOYEE INSURANCE PROGRAM” AND TO SUBSTITUTE “PEBA’S SELF‑FUNDED LTD PLANS” FOR “EMPLOYEE INSURANCE PROGRAM”; TO AMEND SECTION 1‑11‑715, RELATING TO INCENTIVE PROGRAMS IN THE EMPLOYEE AND RETIREE HEALTH INSURANCE PLANS, SO AS TO SUBSTITUTE “PEBA” FOR “EMPLOYEE INSURANCE PROGRAM OF THE STATE BUDGET AND CONTROL BOARD” AND “EMPLOYEE INSURANCE PROGRAM”; TO AMEND SECTION 1‑11‑720, AS AMENDED, RELATING TO ENTITIES WHOSE EMPLOYEES AND RETIREES ARE ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH PLAN, SO AS TO SUBSTITUTE “PEBA” FOR “OFFICE OF INSURANCE SERVICES”; TO AMEND SECTION 1‑11‑725, AS AMENDED, RELATING TO THE RATING OF CERTAIN LOCAL GROUPS, SO AS TO SUBSTITUTE “STATE HEALTH PLAN” FOR “STATE EMPLOYEE HEALTH INSURANCE PROGRAM”; TO AMEND SECTION 1‑11‑730, AS AMENDED, RELATING TO ELIGIBILITY TO PARTICIPATE IN THE STATE HEALTH INSURANCE PLANS, SO AS TO SUBSTITUTE “PEBA” FOR “EIP”; TO AMEND SECTION 1‑11‑740, AS AMENDED, RELATING TO OPTIONAL LONG-TERM CARE INSURANCE, SO AS TO SUBSTITUTE “PEBA” FOR “DIVISION OF INSURANCE SERVICES OF THE BOARD”; AND TO AMEND SECTION 1‑11‑780, RELATING TO MENTAL HEALTH INSURANCE, SO AS TO SUBSTITUTE “PEBA’S SELF‑FUNDED HEALTH PLANS” FOR THE “STATE EMPLOYEE INSURANCE PROGRAM”.

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

The Committee On Finance proposed the following amendment (BH\954C001.BH.DG14), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 5, by striking lines 6‑33 and inserting:

/ (D)(1) Members of the board shall serve for terms of two years and until their successors are appointed and qualify. However, board seats appointed in Term B as provided in item (4) below shall be appointed for an initial term of three years from July 1, 2014, until June 30, 2017, and until their successors are appointed and qualify.

(2) A member of the board may not serve more than two consecutive terms. A member of the board who has served two consecutive terms may become eligible to serve on the board again after not serving on the board for a two‑year term.

(3) Board Seats 1, 2, 4, 7, 8, and 11 are designated as Term A and must be appointed on July 1, 2014, for two‑year terms and until their successors are appointed and qualify. Board seats appointed in Term A must be appointed on July first of every subsequent even‑numbered year after July 1, 2014.

(4) Board Seats 3, 5, 6, 9, and 10 are designated as Term B and must be appointed on July 1, 2014, for an initial term of three years until June 30, 2017, and until their successors are appointed and qualify. After June 30, 2017, board seats appointed in Term B must be appointed for two‑year terms on July 1, 2017, and July first of every subsequent odd‑numbered year after July 1, 2017. /

Amend the bill further, SECTION 1, page 6, by striking line 27 and inserting:

/ (G) Minimally, the board shall meet ~~monthly~~ quarterly. If the chairman /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**CARRIED OVER**

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.

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

**THIRD READING BILLS**

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

S. 986 -- Senator Campsen: A BILL TO AMEND SECTION 50‑1‑90 OF THE 1976 CODE, RELATING TO HUNTING, FISHING, OR TRAPPING WITHOUT CONSENT ON THE LAND OF OTHERS, TO INCREASE THE PENALTIES FOR THESE OFFENSES.

S. 1073 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF ELEVATORS AND AMUSEMENT RIDES, RELATING TO QUALIFICATION OF SPECIAL INSPECTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4382, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**READ THE SECOND TIME**

S. 1010 -- Senators McGill, Cleary and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 10 TO CHAPTER 3, TITLE 50 SO AS TO CREATE THE TOM YAWKEY CENTER TRUST FUND.

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

Senator CAMPSEN explained the Bill.

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 Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Johnson Kimpson

Leatherman Malloy *Martin, Larry*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Rankin Reese

Scott Setzler Shealy

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.

**READ THE SECOND TIME**

H. 4541 -- Rep. Barfield: A BILL TO AMEND SECTION 50‑13‑325, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAKING OF CERTAIN NONGAME FISH IN GILL NETS AND SHAD NETS, SO AS TO REVISE THE RESTRICTIONS PLACED ON SETTING NETS ALONG THE LITTLE PEE DEE RIVER UPSTREAM OF PUNCH BOWL LANDING.

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

Senator CAMPSEN explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

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.

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

Senators CAMPBELL and GROOMS proposed the following amendment (JUD4467.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 36 and 37, in Section 7‑7‑120(A), as contained in SECTION 1, and inserting therein the following:

/ Cainhoy

Cane Bay

Carnes Cross Road ~~No.~~ 1 /.

Amend the bill further, as and if amended, page 2, by striking line 2, in Section 7‑7‑120(A), as contained in SECTION 1, and inserting therein the following:

/ ~~Daniel Island No. 4~~ /.

Amend the bill further, as and if amended, page 3, by striking lines 6 and 7, in Section 7‑7‑120(A), as contained in SECTION 1, and inserting therein the following:

/ The Village

Thomas Island

Wassamassaw ~~No.~~ 1 /.

Renumber sections to conform.

Amend title to conform.

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 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 998 -- Senators Shealy, Malloy, Turner, Massey and Corbin: A BILL TO AMEND SECTION 56‑16‑140 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF MOTORCYCLE DEALER AND WHOLESALER LICENSES BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE FOR THE ISSUANCE OF A DEALER’S EXHIBITION LICENSE THAT ALLOWS A HOLDER TO EXHIBIT MOTORCYCLES AND THEIR RELATED PRODUCTS AT FAIRS, RECREATIONAL OR SPORTS SHOWS, VACATION SHOWS, AND OTHER SIMILAR EVENTS OR SHOWS.

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

The Committee on Transportation proposed the following amendment (998R001.LKG), which was adopted:

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

/ SECTION 1. Section 56‑16‑140(A) of the 1976 Code is amended to read:

“(A)(1) Before engaging in business as a motorcycle dealer or wholesaler in this State, every person must first make application to the Department of Motor Vehicles for a license. Every license issued expires twelve months from the date of issue and must be prominently displayed at the established place of business. The fee for the license is fifty dollars. The license applies to only one place of business of the applicant and is not transferable to any other person or place of business, except as provided in item (2).

(2)(a) A licensed dealer may exhibit motorcycles and their related products at fairs, recreational or sports shows, vacation shows, and other similar events or shows upon obtaining a dealer’s exhibition license. Before exhibiting motorcycles and their related products as provided in this item, the dealer shall first apply to the department for an exhibition license. The applicant shall provide the department with the name, location, and dates of the particular exhibition for which he is seeking an exhibition license.

(b) A dealer must hold a valid dealer’s license pursuant to this section to be issued an exhibition license. Exhibition licenses are valid for a period not to exceed ten consecutive days, must be prominently displayed at the exhibition site, apply to only the licensee, and may not be transferred to another dealer or exhibition location. A dealer may not purchase more than six exhibition licenses in any licensing period.”

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

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson Peeler Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 999 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑218 SO AS TO PROVIDE THAT A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHOSE DRIVER’S LICENSE EXPIRES WHILE THE MEMBER IS SERVING OUTSIDE OF THIS STATE MAY APPLY FOR AN EXTENSION THAT LASTS UNTIL NINETY DAYS AFTER THE MEMBER RETURNS TO THE STATE OR THE TIME THE MEMBER IS DISCHARGED FROM THE ARMED FORCES, WHICHEVER OCCURS FIRST, TO PROVIDE THE APPLICATION PROCESS, AND TO SPECIFY TO WHOM EXTENSION ELIGIBILITY APPLIES.

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

The Committee on Transportation proposed the following amendment (999R001.LKG), which was adopted:

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

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

“Section 56‑1‑218. (A) Notwithstanding any other provision of law, a member of the Armed Forces of the United States, who is deployed or mobilized outside of this State, or receives orders for a permanent change of station outside of this State, or a civilian employee of the Department of Defense performing temporary duty outside of the State in support of the armed forces, whose license expires while serving outside of this State or whose license expires within ninety days from the beginning of service outside of this State, may apply for an extension on the expiration of the license.

(B) The department must grant the extension if the service member, a civilian employee of the Department of Defense, provides copies of the orders that require service outside of this State and a valid military identification card, or in the case of a civilian employee, the civilian employee’s Department of Defense issued identification card, or military orders supporting services outside of the State. The extension shall expire ninety days after the member is discharged from the service or returns to this State. If the orders do not specify a return date, the service member is deemed to have returned on the date that the commanding officer of the unit provides as the return date to the department. The license is deemed to expire only upon the expiration of the extension.

(C) The provisions of this section also apply to dependents residing with the service member.

(D) The department may prescribe forms and policies to implement the provisions of this section. The department must post the application form on its website, and the application must be able to be processed by mail or electronically.”

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

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson Peeler Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 1028 -- Senator Alexander: A BILL TO AMEND SECTION 50‑25‑1010, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT ON TUGALO LAKE, SO AS TO INCREASE THE AMOUNT OF HORSEPOWER A WATERCRAFT MOTOR MAY USE ON TUGALO LAKE FROM TWENTY TO TWENTY‑FIVE HORSEPOWER.

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

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Johnson Leatherman

Lourie Malloy *Martin, Larry*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Rankin Reese

Scott Setzler Shealy

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.

**COMMITTEE AMENDMENT ADOPTED**

**RESOLUTION ADOPTED, SENT TO THE HOUSE**

S. 1016 -- Senators Pinckney and Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 17 IN JASPER COUNTY FROM ITS INTERSECTION WITH CROWFIELD ROAD TO ITS INTERSECTION WITH HIGHWAY S‑27‑29 “THOMAS E. MILLER BOULEVARD” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “THOMAS E. MILLER BOULEVARD”.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of the amendment proposed by the Committee on Transportation.

The Committee on Transportation proposed the following amendment (1016R001.LKG), which was adopted:

Amend the concurrent resolution, as and if amended, page 2, by striking lines 9‑15 and inserting:

/ That the members of the General Assembly request that the Department of Transportation name the portion of United States Highway 17 in Jasper County from its intersection with Crowfield Road to its intersection with Highway S‑27‑29 ‘Thomas E. Miller Highway’ and erect appropriate markers or signs along this portion of highway that contain the words ‘Thomas E. Miller Highway’. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the committee amendment.

The committee amendment was adopted.

There being no further amendments, the Concurrent Resolution was adopted and ordered sent to the House with amendments.

**COMMITTEE AMENDMENT ADOPTED**

**RESOLUTION ADOPTED, RETURNED TO THE HOUSE**

H. 4395 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF UNITED STATES HIGHWAY 601 AND REYNOLDS ROAD IN THE TOWN OF EASTOVER IN HONOR OF ELIZABETH WORKMAN DEVEAUX, AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS INTERSECTION THAT CONTAIN THE WORDS “ELIZABETH WORKMAN DEVEAUX INTERSECTION”.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of the amendment proposed by the Committee on Transportation.

The Committee on Transportation proposed the following amendment (4395R001.LKG), which was adopted:

Amend the concurrent resolution, as and if amended, page 2, by striking lines 4‑9 and inserting:

/ That the members of the General Assembly request that the Department of Transportation name the portion of United States Highway 601 in Richland County from its intersection with Reynolds Road to its intersection with McCords Ferry Road ‘Elizabeth Workman DeVeaux Highway’, and erect appropriate signs or markers along this portion of highway that contain the words ‘Elizabeth Workman DeVeaux Highway’. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the committee amendment.

The committee amendment was adopted.

There being no further amendments, the Concurrent Resolution was adopted and ordered returned to the House with amendments.

**ADOPTED**

H. 4484 -- Reps. Hodges, R.L. Brown and Knight: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF AUGUSTA HIGHWAY (SC 61) AND SIDNEY’S ROAD (S‑21) IN COLLETON COUNTY “GRUBER’S CROSSROADS”, AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “GRUBER’S CROSSROADS”.

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

**ADOPTED**

H. 4396 -- Rep. Bowen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME EXIT 19 ALONG INTERSTATE HIGHWAY 85 IN ANDERSON COUNTY “T. ED GARRISON INTERCHANGE”, AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS EXIT THAT CONTAIN THE WORDS “T. ED GARRISON INTERCHANGE”.

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

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

**MOTION ADOPTED**

On motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**Motion to Ratify Adopted**

At 1:50 P.M., Senator COURSON 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.

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

**AMENDED, DEBATE INTERRUPTED**

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

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

**Amendment No. P1-2**

Senator HUTTO proposed the following amendment (3101MW.BH.1), which was adopted:

Amend the amendment with the document path 3101R013.TD, as and if amended, by striking Section 38-71-3060(B)(3) and inserting the following:

/ (3) provide evidence that the individual has not been convicted of a violent crime as defined in Section 16-1-60, has not been convicted during the previous five years of a felony directly related to the practice of the profession, or has not been convicted during the previous seven years of a felony, an essential element of which is dishonesty, reasonably related to the practice of the profession, or pleading guilty or nolo contendere to any such offense in a court of competent jurisdiction of this State, any other state, or any federal court; /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the perfecting amendment.

The amendment was adopted.

**Amendment No. P2A-2**

Senators LOURIE and HUTTO proposed the following amendment (3101.MW.P5), which was tabled:

Amend the amendment with the document path 3101R013.TD, as and if amended, by deleting Section 1-1-1915(B)(1) as contained in SECTION 1.

Further amend the amendment with the document path 3101R013.TD, as and if amended, by deleting Section 1-1-1915(B)(2) as contained in SECTION 1.

Further amend the amendment with the document path 3101R013.TD, as and if amended, by deleting Section 1-1-1915(B)(3) as contained in SECTION 1.

Further amend the amendment with the document path 3101R013.TD, as and if amended, by deleting Section 1-1-1920 as contained in SECTION 1.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the perfecting amendment.

Senator FAIR moved to lay the amendment on the table.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The amendment was laid on the table.

**Amendment No. P3-2**

Senator COLEMAN proposed the following amendment (MS\3101C027.MS.AHB14), which was tabled:

Amend the amendment bearing document number S‑RES\Amend\3101R013.TD, as and if amended, by deleting Section 1-1-1915(A)(2) and (3), as contained in SECTION 1, and inserting:

/ (2) enforce Section 1501 of the ACA requiring an individual to maintain minimum essential coverage, commonly known as the ACA’s individual mandate to purchase insurance coverage;

(3) enforce Section 1513 of the ACA imposing a shared responsibility on employers who do not provide health insurance to full‑time employees, commonly known as the employer’s mandate to provide health insurance coverage; /

Amend the amendment further, by deleting Section 1-1-1915(A)(4), as contained in SECTION 1, and inserting:

/ (4) utilize any assets, state funds or funds authorized or allocated by the State to any public body, in whole or in part, to engage in any activity to enforce any federal act, law, order, rule, or regulation intended to give effect to or facilitate the enforcement of Sections 1501 or 1513 of the ACA; /

Amend the amendment further, by deleting Section 1-1-1915(A)(6), as contained in SECTION 1, and inserting:

/ (6) apply for or utilize any assets, state funds, or funds authorized or allocated by the State to any public body, in whole or in part, to engage in any activity that enforces any federal act, law, order, rule, or regulation intended to give effect to or facilitate the enforcement of any other portion of the ACA. /

Renumber sections to conform.

Amend title to conform.

Senator COLEMAN explained the perfecting amendment.

Senator JACKSON spoke on the perfecting amendment.

Senator DAVIS spoke on the perfecting amendment.

Senator DAVIS moved to lay the amendment on the table.

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

**Ayes 25; Nays 14; Present 1**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Davis Gregory

Grooms Hayes Hembree

*Martin, Larry Martin, Shane* Massey

Peeler Rankin Shealy

Thurmond Turner Verdin

Young

**Total--25**

**NAYS**

Allen Coleman Hutto

Jackson Johnson Kimpson

Matthews McElveen McGill

Nicholson Reese Scott

Setzler Williams

**Total--14**

**PRESENT**

Malloy

**Total--1**

The amendment was laid on the table.

**Recorded Vote**

Senator FAIR desired to be recorded as voting in favor of the motion to table the amendment.

Debate was interrupted by adjournment.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 11, 2014, at 3:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R138, S. 558) -- Senator Reese: AN ACT TO AMEND ARTICLE 13, CHAPTER 25, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS PLACED ON THE USE OF WATERCRAFT ON LAKES WILLIAM C. BOWEN AND H. TAYLOR BLALOCK IN SPARTANBURG COUNTY, SO AS TO SPECIFY THE TYPES OF WATERCRAFT TO WHICH THESE RESTRICTIONS APPLY, TO PROVIDE THAT CERTAIN SIGNS THAT CONTAIN THESE RESTRICTIONS MUST BE DESIGNED AND INSTALLED BY THE SPARTANBURG WATER SYSTEM, TO PROVIDE THAT CERTAIN VESSELS ARE EXEMPTED FROM THESE RESTRICTIONS, TO PROVIDE THAT THESE RESTRICTIONS APPLY TO A HYDROELECTRIC GENERATOR OUTFALL, AND TO PROVIDE THAT CERTAIN RESTRICTIONS APPLICABLE TO LAKE H. TAYLOR BLALOCK DO NOT APPLY TO THE HUNTING OF WATERFOWL IN CERTAIN AREAS DURING CERTAIN TIMES OF THE YEAR.

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(R139, S. 699) -- Senator Verdin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46‑25‑815 SO AS TO IMPOSE AN INSPECTION FEE OF ONE DOLLAR A TON ON THE DISTRIBUTION OR SALE OF COMMERCIAL FERTILIZER IN THIS STATE, TO PROVIDE THAT THIS FEE MUST BE REPORTED, PAID, AND ENFORCED IN THE SAME MANNER THAT THE EXISTING FIFTY CENTS A TON INSPECTION TAX ON THE SALE OF COMMERCIAL FERTILIZER IS REPORTED, PAID, AND ENFORCED, TO PROVIDE THAT THE REVENUES OF THIS INSPECTION FEE MUST BE RETAINED AND EXPENDED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS OF CLEMSON UNIVERSITY (CLEMSON PSA) FOR THE SUPPORT OF THE DIVISION’S PROGRAMS, AND TO PROVIDE THAT UNEXPENDED FEE REVENUES AT THE END OF A FISCAL YEAR CARRY FORWARD TO THE SUCCEEDING FISCAL YEAR AND MUST BE USED FOR THE SAME PURPOSES.

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(R140, S. 921) -- Senator Leatherman: AN ACT TO AMEND ACT 250 OF 1991, AS AMENDED, RELATING TO THE ANNUAL BUDGET FOR FLORENCE SCHOOL DISTRICT NUMBER 5, SO AS TO ONLY REQUIRE A MEETING OF THE CITIZENS IF THE PROPOSED BUDGET REQUIRES A MILLAGE INCREASE.

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(R141, S. 957) -- Senator Bennett: AN ACT TO AMEND SECTION 7‑7‑230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DORCHESTER COUNTY, SO AS TO ADD NINE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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(R142, S. 989) -- Senator Nicholson: AN ACT TO AMEND SECTION 7‑7‑290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS AND TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF GREENWOOD COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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(R143, S. 995) -- Senator Hayes: AN ACT TO AMEND SECTION 7‑7‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS AND TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF YORK COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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(R144, S. 1001) -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO LAW ENFORCEMENT OFFICER AND E‑911 OFFICER TRAINING AND CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4347, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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(R145, H. 3027) -- Reps. G.M. Smith, Pitts, Ballentine, J.E. Smith, Bernstein, Harrell, Cobb‑Hunter, Whipper and R.L. Brown: AN ACT TO AMEND SECTION 12‑43‑220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX ASSESSMENT RATIOS, SO AS TO PROVIDE THAT, IN CERTAIN SITUATIONS, AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES MAY CLAIM THE FOUR PERCENT ASSESSMENT RATIO REGARDLESS OF THE OWNER’S RELOCATION AND REGARDLESS OF ANY RENTAL INCOME, AND TO PROVIDE THAT AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES, IN CERTAIN SITUATIONS, MAY CLAIM THE FOUR PERCENT ASSESSMENT RATIO ON TWO RESIDENTIAL PROPERTIES SO LONG AS THE OWNER ATTEMPTS TO SELL THE FIRST RESIDENCE WITHIN THIRTY DAYS OF ACQUIRING THE SECOND RESIDENCE.

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(R146, H. 3089) -- Reps. Pope, Tallon, Hixon, Wells, McCoy and Daning: AN ACT TO AMEND SECTION 12‑6‑1140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS ALLOWED FROM SOUTH CAROLINA TAXABLE INCOME OF AN INDIVIDUAL FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW A MAXIMUM THREE THOUSAND DOLLAR A YEAR DEDUCTION FOR VOLUNTEER STATE CONSTABLES DESIGNATED BY THE STATE LAW ENFORCEMENT DIVISION AS STATE CONSTABLES AND TO PROVIDE THE ELIGIBILITY REQUIREMENTS FOR THIS DEDUCTION.

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(R147, H. 3367) -- Reps. J.E. Smith and Mitchell: AN ACT TO AMEND SECTION 33‑56‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA SOLICITATION OF CHARITABLE FUNDS ACT, SO AS TO REVISE SPECIFIC DEFINITIONS; TO AMEND SECTION 33‑56‑60, RELATING TO CERTAIN FILING REQUIREMENTS, SO AS TO FURTHER PROVIDE FOR WHICH CHARITABLE ORGANIZATIONS ARE REQUIRED TO FILE AND THE APPLICABLE FILING REQUIREMENTS; TO AMEND SECTION 33‑56‑70, RELATING TO CONTRACTS WITH PROFESSIONAL SOLICITORS REQUIRED TO BE FILED WITH THE SECRETARY OF STATE, SO AS TO PROVIDE FOR ADDITIONAL FILING INFORMATION AND TO FURTHER PROVIDE WHEN A PROFESSIONAL SOLICITOR, COMMERCIAL CO‑VENTURER, OR PROFESSIONAL FUNDRAISING COUNSEL MAY BEGIN PROVIDING OR CONTINUE PROVIDING SOLICITATIONS AND SERVICES IN THIS STATE; TO AMEND SECTION 33‑56‑110, RELATING TO REGISTRATION OF CERTAIN PERSONS, SO AS TO REVISE THE PROVISIONS OF THE SECTION IN REGARD TO THE REQUIREMENTS OF AND PROCEDURES FOR REGISTRATION, INCLUDING THE SANCTIONS OR PENALTIES FOR NONCOMPLIANCE OR VIOLATION; AND TO AMEND SECTION 33‑56‑120, RELATING TO PROHIBITED MISREPRESENTATIONS, SO AS TO CLARIFY A REFERENCE.

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(R148, H. 3563) -- Reps. Delleney, J.E. Smith and Lucas: AN ACT TO AMEND CHAPTER 20, TITLE 39, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF‑SERVICE STORAGE FACILITIES, SO AS TO DEFINE “ELECTRONIC MAIL”, TO PROVIDE THAT WHEN RENT IS SEVEN OR MORE CALENDAR DAYS PAST DUE THE OWNER MAY DENY THE OCCUPANT ACCESS TO THE PERSONAL PROPERTY AND THE OCCUPANT IS CONSIDERED IN DEFAULT, TO PROVIDE THAT WHEN RENT IS FOURTEEN OR MORE DAYS PAST DUE THE OCCUPANT MUST BE NOTIFIED, TO PROVIDE THE OPTION OF NOTIFICATION THROUGH ELECTRONIC MAIL, AND TO PROVIDE THE PROCESS BY WHICH A DEFAULTING OCCUPANT’S PERSONAL PROPERTY MAY BE DESTROYED OR SOLD.

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(R149, H. 4468) -- Reps. Hardwick, Ryhal and Clemmons: AN ACT TO AMEND SECTION 7‑7‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO REDESIGNATE VARIOUS EXISTING PRECINCTS, TO ADD TWO 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.

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(R150, H. 4576) -- Reps. Anderson, Harrell, Hosey, Hardwick, Spires, Gilliard, King, Parks, Williams, Anthony, Clyburn, Gambrell, Jefferson, Bowen, Brannon, R.L. Brown, George, Hayes, Hixon, Lowe, Mack, W.J. McLeod, D.C. Moss, Munnerlyn, Norman, Putnam, Robinson‑Simpson, Tallon and Thayer: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNING BODY OF A SCHOOL DISTRICT MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR UP TO FIVE FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND A SCHOOL, CHARTER SCHOOL, OR APPROVED HOME SCHOOL PROGRAM IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013‑2014 SCHOOL YEAR IF THE DISTRICT HAS EXHAUSTED ALL STATUTORILY REQUIRED MAKE UP DAYS REMAINING ON THE 2013‑2014 SCHOOL CALENDAR.

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(R151, H. 4647) -- Reps. Pitts, Willis and Anthony: AN ACT TO AMEND SECTION 7‑7‑360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS AND TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LAURENS COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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**REPORT RECEIVED**

**JOINT SCREENING COMMITTEE TO REVIEW CANDIDATES FOR THE**

**CONSUMER AFFAIRS COMMISSION**

**CONSUMER AFFAIRS COMMISSION SCREENING COMMITTEE**

Senator William O’Dell, Chairman

Senator John Matthews

Senator Tom Davis

Senator Sean Bennett

Representative F. Michael Sottile

Representative Walton J. McLeod

Representative Leon Howard

Representative Liston D. Barfield

The Joint Screening Committee to Review Candidates for the Consumer Affairs Commission met to screen Ms. Carolyn B. Ballington for Seat #1 on the Consumer Affairs Commission. She was found to be qualified. The election will be Wednesday, April 2, 2014 at noon.

Consumer Affairs Screening - 3/4/14

308 Gressette - 10:30 a.m.

Senator O’DELL: We are going to call the meeting to order. I believe we have enough to begin. Ms. Ballington, if you would, would you please come up to the podium now? Ms. Ballington I am going to swear you in before we begin. If you would, raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Ms. Ballington: I do.

Senator O’DELL: Thank you, ma’am. You may be seated. Ms. Ballington, you have provided Staff with your Personal Data Questionnaire and Statement of Economic Interest form. They have been reviewed and found to be complete with information requested and references. Are there any changes or additions that you wish to submit at this time?

Ms. Ballington: No, sir.

Senator O’DELL: Thank you, ma’am.

Dr. Steven Gilbert: I’ll ask the questions. I have a serious of nine questions. Basically, they will ask for a yes or no answer and at the end you will be asked to provide a little more information and introduce yourself. First question, do you or any member of your family own or operate any business which contracts with state or federal governments?

Ms. Ballington: No, sir.

Dr. Steven Gilbert: Do you or any member of your family own or operate any business that receives state or federal funds?

Ms. Ballington: No, sir.

Dr. Steven Gilbert: Have you ever been arrested, charged, or held by federal, state or other law enforcement authorities for violation of the law, regulation or ordinance?

Ms. Ballington: No, sir.

Dr. Steven Gilbert: Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? If so, explain.

Ms. Ballington: No, sir.

Dr. Steven Gilbert: Has a tax lien or collection procedure ever been instituted against you personally by federal, state or local authorities?

Ms. Ballington: No, sir.

Dr. Steven Gilbert: Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, agency, association or professional group?

Ms. Ballington: No, sir.

Dr. Steven Gilbert: Are you now or have you ever been employed as a “lobbyist” or acted in the capacity of a “lobbyist principal”?

Ms. Ballington: No, sir.

Dr. Steven Gilbert: Do you know of any reason you would have difficulty performing the duties of this position?

Ms. Ballington: No, sir.

Dr. Steven Gilbert: And the final question. Briefly tell us about yourself and explain why you want to serve in this position.

Ms. Ballington: My name is Carolyn Ballington. I also go by Caroline. You can call me either one. I was raised in Horry County, born and bred Conway-ite. I worked for the postal service for 30 years as a rural carrier. Before that I graduated from Coastal Carolina when it was a part of USC. My first husband and I had a business at Ocean Drive for 10 years called Cup and Cone Ice Cream Parlor. We ran that ourselves. After that, I raised my children for 7 years and started back to work with the Post Office. I am a Lutheran. I go to Christ the Servant Lutheran Church. I have two grown children, six grandchildren and two great-grandchildren by the way. I am remarried to a husband who lives here in the area. He was born and raised in West Columbia. His name is Ken. Let’s see what else I like to do. I love the beach. I am very interested in most anything. I am an avid reader. I have read a lot of books on a lot of different subjects. I think this Committee that I had never even heard of until I saw the advertisement in the paper. I thought it was interesting sounding, and I think I can be an asset to it. Like I said, I am always interested in learning new stuff. I might be old, but I’m not dead.

Senator O’DELL: Thank you, Ms. Ballington.

Ms. Ballington: You’re welcome.

Senator O’DELL: Those are some very good reasons to serve, I think. So you were at Ocean Drive for a number of years?

Ms. Ballington: My house was right on the line between the division between the school system from Ocean Drive to Conway. I went to Conway High, but most of my friends went up to Wampee then not North Myrtle Beach. My father did have a little go cart track at Ocean Drive for years - through my teenage years, and then we also had a tobacco farm. Ocean Drive is my home.

Senator O’DELL: Did you ever go to a place called The Pad down there?

Ms. Ballington: Oh, yes. I had to go in the back door most of the time because I was too young to get in the front door.

Senator O’DELL: That kind of dates me because I could get in the front door.

Ms. Ballington: Well, back in those days, I never dated a guy who was my age, of course, I had to date older guys. I was too young and too young looking to get in legally, but I did go to The Pad.

Senator O’DELL: Do we have any questions from the Committee?

Senator MATTHEWS: You answered my question when you stated why you wanted to serve. Have you ever used the Agency for any purpose?

Ms. Ballington: No, sir. I have not.

Ms. Ballington: Okay

Representative Barfield: You are from my area?

Ms. Ballington: Yes, sir, I know.

Representative Barfield: You’re a lot younger than I am, so you’re not dated yet. I’m sure having been raised on a farm you had an opportunity to work in tobacco.

Ms. Ballington: Oh, yes, sir. I know all about it.

Representative Barfield: I would never have thought it would have been like it is today. It’s no comparison. I joined the Army to get out of it. I don’t know what you did.

Ms. Ballington: I stayed with it until my father quit farming, and then I was very happy.

Senator O’DELL: Do you have a motion?

Senator MATTHEWS: Motion

Representative Barfield: 2nd

Senator O’DELL: All in favor?

Aye

Senator O’DELL: Ms. Ballington, we will have staff notify you when the screening is complete.

Ms. Ballington: Yes, sir.

Senator O’DELL: And it is permissible for you to seek commitments from members of the General Assembly. That will be after staff notifies you. The election is set for Wednesday, April 2nd at noon.

Senator O’DELL: Thank you very much.

Ms. Ballington: Thank you and have a good day.

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. William A. Klauber, Jr. of Bamberg, S.C. Dr. Klauber served in World War II as a lieutenant in the Medical Corps of the U.S. Navy. He was a member of the American College of Radiology and was chosen as one of the 100 distinguished alumni of the Medical University of South Carolina. Dr. Klauber founded Brewer Hospital School of Radiography. He retired from his practice in 1992 and was then appointed by Governor Campbell to represent S.C. on the Education Commission. Dr. Klauber was an inductee into the Greenwood County Hall of Fame, a Rotarian and a founding fellow of the Greenwood Genetic Center. He was a loving husband, devoted father and doting grandfather.

and

**MOTION ADOPTED**

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Sharon Cross of St. Stephen, S.C. Ms. Cross was a wonderful woman who lived a great life and will be dearly missed.

**Motion Adopted**

Senator COURSON moved that the Senate stand adjourned.

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

**Ayes 34; Nays 7**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Malloy

*Martin, Larry* Massey Matthews

McElveen McGill Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Thurmond Turner Williams

Young

**Total--34**

**NAYS**

Bright Bryant Corbin

Cromer Davis *Martin, Shane*

Verdin

**Total--7**

The Senate agreed to stand adjourned.

**ADJOURNMENT**

At 3:04 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 2:00 P.M.

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