**Tuesday, April 1, 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:

The Psalmist writes:

“Show me your ways, O Lord, teach me Your paths; guide me in Your truth and teach me... my hope is in You all day long.”

(Psalm 25:4, 5c)

Let us pray:

Holy and Loving God, even though April Fool’s Day silliness may be on the minds of some individuals, we know that here in the Chamber of the Senate of South Carolina priorities are on different matters altogether. The requirements of our counties and our towns, the strength of our state’s economy, the needs of our children -- these and so much more call out for wise and caring leadership on the part of each of these Senators, Lord. We pray that You guide them all in the ways You would have them go, so that real blessings might abound for every South Carolinian. In Your loving name we ask this, O Lord. Amen.

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

**Point of Quorum**

At 12:10 P.M., Senator SCOTT made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Reappointment, Donate Life South Carolina, with the term to commence April 1, 2012, and to expire April 1, 2016

Organ and Tissue Recipient Representative:

Debra A. Yasenka, 243 Belfair Oaks Blvd., Bluffton, SC 29910

Referred to the Committee on Labor, Commerce and Industry.

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

Referred to the Committee on Education.

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

Referred to the Committee on Education.

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

Referred to the Committee on Education.

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

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2014, and to expire June 30, 2018

1st Congressional District:

Charles Frank Koches, 1057 Yeamans Hall Road, Hanahan, SC 29410

Referred to the Committee on Judiciary.

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

Referred to the Committee on Labor, Commerce and Industry.

**Doctor of the Day**

Senator CAMPSEN introduced Dr. Alexander Ramsay of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator TURNER, at 12:05 P.M., Senator PINCKNEY was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator BRYANT, at 12:05 P.M., Senator BRIGHT was granted a leave of absence for today.

**Leave of Absence**

At 12:05 P.M., Senator FAIR requested a leave of absence beginning at 5:00 P.M. today.

**Leave of Absence**

On motion of Senator BRYANT, at 12:10 P.M., Senator VERDIN was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator CAMPBELL, at 12:10 P.M., Senator GROOMS was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator CAMPBELL, at 12:50 P.M., Senator RANKIN was granted a leave of absence from 12:00 P.M. - 2:30 P.M.

**Leave of Absence**

At 2:30 P.M., Senator BRYANT requested a leave of absence for the balance of the day.

**CO-SPONSORS ADDED**

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

S. 1164 Sen. Young

S. 888 Sen. Campbell

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1176 -- Senators Setzler, Courson, Cromer, Massey and Shealy: A CONCURRENT RESOLUTION TO HONOR AND CONGRATULATE PAT G. SMITH, FORMER MAYOR OF THE TOWN OF SPRINGDALE, ON HIS MANY YEARS OF DEDICATED SERVICE TO THE RESIDENTS OF SPRINGDALE AND GREATER LEXINGTON COUNTY.

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

S. 1177 -- Senator Gregory: A BILL TO AMEND SECTION 50-11-2200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, OPERATION, AND MAINTENANCE OF WILDLIFE MANAGEMENT AREAS, SO AS TO PROVIDE THAT CERTAIN ACTS OR CONDUCT THAT ARE PROHIBITED MAY BE ALLOWED BY REGULATION, THAT THESE ACTS OR CONDUCT ARE PROHIBITED ON STATE LAKES AND PONDS OWNED OR LEASED BY THE DEPARTMENT AND HERITAGE PRESERVES OWNED BY THE DEPARTMENT, TO MAKE TECHNICAL CHANGES, AND TO REVISE THE LIST OF ACTS OR CONDUCT THAT ARE PROHIBITED.

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

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.

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

S. 1179 -- Senator Cromer: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF ALL OF SOUTH CAROLINA'S CHILDREN AND TO DECLARE MAY 14, 2014, "CHILDHOOD APRAXIA OF SPEECH DAY" IN THE STATE OF SOUTH CAROLINA.

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

S. 1180 -- Senator Hayes: A BILL TO AMEND SECTION 7-7-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VOTING PRECINCTS IN YORK COUNTY, SO AS TO DELETE FOUR PRECINCTS AND ADD TEN NEW VOTING PRECINCTS AND TO DESIGNATE THE MAP ON WHICH THE BOUNDARIES OF YORK COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND.

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

S. 1181 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SAINT JOHN'S EVANGELICAL LUTHERAN CHURCH, UPON THE CELEBRATION OF ITS ONE HUNDREDTH ANNIVERSARY OF SERVICE TO CHRIST AND THE COMMUNITY.

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

S. 1182 -- Senator Allen: A SENATE RESOLUTION TO HONOR SUGAR RAY LEONARD, WORLD BOXING CHAMPION AND HEALTH ADVOCATE, AND TO EXTEND TO HIM A CORDIAL WELCOME TO THE PALMETTO STATE UPON THE OCCASION OF HIS ADDRESS TO THE EIGHTH ANNUAL GREENVILLE HEALTH SYSTEM MINORITY HEALTH SUMMIT ON APRIL 12, 2014.

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The Senate Resolution was adopted.

S. 1183 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND CAMDEN HIGH SCHOOL FOR ITS OUTSTANDING WORK IN EDUCATING STUDENTS AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STAFF, STUDENTS, AND PARENTS FOR BEING HONORED AS A 2014 PALMETTO'S FINEST AWARD WINNER.

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

S. 1184 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE ROCKY MOUNT MISSIONARY BAPTIST CHURCH OF GREENVILLE ON THE OCCASION OF ITS HISTORIC ONE HUNDRED SIXTIETH ANNIVERSARY AND TO COMMEND THE CHURCH FOR MORE THAN A CENTURY AND A HALF OF SERVICE TO GOD AND THE COMMUNITY.

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The Senate Resolution was adopted.

S. 1185 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE 2014 ANNUAL UPSTATE BIKE AND CLUB BLESSING AND ANNUAL BLOOD DRIVE HONORING FALLEN BIKERS AND CLUB MEMBERS OF THE UPSTATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

H. 4989 -- Rep. G. A. Brown: A BILL TO AMEND SECTION 7-7-370, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LEE COUNTY, SO AS TO REDESIGNATE FOUR PRECINCTS AND REVISE THE BOUNDARIES OF SIX EXISTING PRECINCTS BY COMBINING THEM INTO THREE PRECINCTS AND TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LEE COUNTY VOTING PRECINCTS AS REDESIGNATED AND REVISED BY THIS ACT MAY BE FOUND AS ESTABLISHED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, OR ITS SUCCESSOR AGENCY.

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

H. 5019 -- Reps. Pitts, Willis, Anthony, Alexander, Allison, Anderson, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HUNTER BOND OF LAURENS COUNTY FOR HIS SUCCESS AND SKILL AS A BASS FISHERMAN AND TO CONGRATULATE HIM FOR WINNING THE 2014 SOUTH CAROLINA STATE CHAMPIONSHIP OF THE BASS FEDERATION/FORREST L. WOOD HIGH SCHOOL OPEN.

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

H. 5020 -- Reps. Hardwick, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND FORESTBROOK MIDDLE SCHOOL IN MYRTLE BEACH FOR OUTSTANDING WORK IN EDUCATING STUDENTS AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STAFF, STUDENTS, AND PARENTS FOR BEING HONORED AS A 2014 PALMETTO'S FINEST AWARD WINNER.

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

H. 5021 -- Reps. Hardwick, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MIDLAND ELEMENTARY SCHOOL IN GALIVANTS FERRY FOR OUTSTANDING WORK IN EDUCATING STUDENTS AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STAFF, STUDENTS, AND PARENTS FOR BEING HONORED AS A 2014 PALMETTO'S FINEST AWARD WINNER.

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

H. 5025 -- Reps. Pitts, Willis, Anthony, Alexander, Allison, Anderson, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR GEORGE LEWIS COMPTON OF LAURENS COUNTY FOR HIS SUCCESS AND SKILL AS A BASS FISHERMAN AND TO CONGRATULATE HIM FOR WINNING THE 2014 SOUTH CAROLINA STATE CHAMPIONSHIP OF THE BASS FEDERATION/FORREST L. WOOD HIGH SCHOOL OPEN.

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

**REPORTS OF STANDING COMMITTEES**

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

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.

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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

H. 4574 -- Reps. Hardwick and W.J. McLeod: A BILL 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 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.

Ordered for consideration tomorrow.

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

H. 4604 -- Reps. Sandifer, Mack and Toole: A BILL 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.

Ordered for consideration tomorrow.

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

H. 4644 -- Rep. Sandifer: A BILL TO AMEND SECTION 40‑60‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTIONS 40‑60‑31, 40‑60‑33, 40‑60‑34, 40‑60‑35, AS AMENDED, 40‑60‑36, 40‑60‑37, 40‑60‑38, 40‑60‑80, AND 40‑60‑220, ALL RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS LICENSE AND CERTIFICATION ACT, SO AS TO CONFORM THE PROVISIONS TO CERTAIN REVISED NATIONAL UNIFORM STANDARDS FOR LICENSING, CERTIFYING, AND RECERTIFYING REAL ESTATE APPRAISERS.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

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

S. 1149 -- Senator Fair: A CONCURRENT RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA STUDENT LEGISLATURE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES IN 2014 AT A DATE AND TIME DETERMINED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT IF SUBSEQUENT TO A DETERMINATION EITHER BODY IS IN SESSION, THE CHAMBERS MAY NOT BE USED AND ALTERNATE DATES AND TIMES MAY BE SELECTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

S. 1176 -- Senators Setzler, Courson, Cromer, Massey and Shealy: A CONCURRENT RESOLUTION TO HONOR AND CONGRATULATE PAT G. SMITH, FORMER MAYOR OF THE TOWN OF SPRINGDALE ON HIS MANY YEARS OF DEDICATED SERVICE TO THE RESIDENTS OF SPRINGDALE AND GREATER LEXINGTON COUNTY.

S. 1181 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SAINT JOHN’S EVANGELICAL LUTHERAN CHURCH, UPON THE CELEBRATION OF ITS ONE HUNDREDTH ANNIVERSARY OF SERVICE TO CHRIST AND THE COMMUNITY.

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

**THIRD READING BILLS**

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

S. 1008 -- Senators Setzler and Lourie: A BILL TO AMEND SECTION 9‑8‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE ADMINISTRATIVE LAW JUDGES IN THE DEFINITION OF “JUDGE”; AND TO AMEND SECTION 9‑8‑40, AS AMENDED, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW ADMINISTRATIVE LAW JUDGES SERVING ON JULY 1, 2014, TO ELECT TO BECOME A MEMBER.

**S. 1008--Recorded Vote**

Senator YOUNG desired to be recorded as voting against the third reading of the Bill.

S. 1037 -- Senator Fair: A BILL TO AMEND SECTION 56‑1‑148 OF THE 1976 CODE, RELATING TO THE IDENTIFYING CODE AFFIXED ON THE DRIVER’S LICENSE OF A PERSON CONVICTED OF CERTAIN CRIMES, TO REMOVE THE FIFTY DOLLAR FEE ASSOCIATED WITH THE IDENTIFYING CODE.

**SECOND READING BILL**

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

On motion of Senator HAYES, the Bill was read the second time.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

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

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

Senator ALLEN proposed the following amendment (900MW1), which was adopted:

Amend the committee amendment, as and if amended, page [900-1], by striking line 29 and inserting:

/ expungement laws affecting adults and juveniles. The study committee shall review /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD0900.001), which was adopted:

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

/ SECTION 1. (A) There is created the “Study Committee on Expungement of Criminal Offenses” to review the state’s criminal laws for the purpose of determining criminal offenses which may be appropriate for expungement after a certain time period and under certain circumstances and to make recommendations to the General Assembly regarding proposed changes to the expungement laws. The study committee shall review information, including, but not limited to, statistics and other information available from the courts, the South Carolina Commission on Prosecution Coordination, and the South Carolina Commission on Indigent Defense regarding current expungement rates and types of criminal offenses that may be appropriate for expungement, in addition to expungement laws in other states.

(B) The study committee must be composed of three members of the Senate, appointed by the Senate Judiciary Committee Chairman, and three members of the House of Representatives, appointed by the House Judiciary Committee Chairman. Vacancies in the study committee’s membership must be filled for the remainder of the unexpired term in the manner of original appointment.

(C) The Chairmen of the Senate and House Judiciary Committees shall provide appropriate staffing for the study committee.

(D) The study committee shall make a report of the study committee’s recommendations to the General Assembly by October 13, 2014, at which time the study committee must be dissolved.

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

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Joint Resolution.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Scott Setzler

Thurmond Turner Williams

Young

**Total--37**

**NAYS**

**Total--0**

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

**AMENDED, CARRIED OVER**

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

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

**Motion Under Rule 26B**

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

There was no objection.

Senator HUTTO proposed the following amendment (AGM\3919C012.AGM.AB14), which was adopted:

Amend the bill, as and if amended, Section 59‑18‑325(A), as contained in SECTION 4, by deleting the subsection in its entirety and inserting:

/ (A) 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 as required by the federal Individuals with Disabilities Education Improvement Act and by Title 1 of the Elementary and Secondary Education Act and that is from a provider secured by the department. In addition, all students entering the eleventh grade for the first time in school year 2014‑2015 and subsequent years must be administered a WorkKeys assessment. The results of the assessments must be provided to each student, their respective schools, and to the State to:

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

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

(3) meet federal and state accountability requirements. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED**

**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.

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 (JUD3124.001), which was adopted:

Amend the bill, as and if amended, beginning on page 1, by striking SECTION 1 and inserting therein the following:

/ SECTION 1. Subarticle 1, Article 3, Chapter 7, Title 63 of the 1976 Code is amended by adding:

“Section 63-7-315. (A) An employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee who is required or permitted to report child abuse or neglect pursuant to Section 63-7-310 based on the fact that the employee has made a report of child abuse and neglect.

(B) An employee who is adversely affected by conduct that is in violation of subsection (A) may bring a civil action for reinstatement and back pay. An action brought pursuant to this subsection may be commenced against an employer, including the State, a political subdivision of the State, and an office, department, independent agency, authority, institution, association, or other body in state government. An action brought pursuant to this subsection must be commenced within three years of the date the adverse personnel action occurred.

(C) In an action brought pursuant to subsection (B), the court may award reasonable attorneys fees to the prevailing party; however, in order for the employer to receive reasonable attorneys fees pursuant to this subsection, the court must make a finding pursuant to Section 63‑7‑2000 that: (1) the employee made a report of suspected child abuse or neglect maliciously or in bad faith; or (2) the employee is guilty of making a false report of suspected child abuse or neglect pursuant to Section 63‑7‑440.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

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

**AMENDED, CARRIED OVER**

H. 4482 -- Rep. Ridgeway: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO STATE EMBLEMS, BY ADDING SECTION 1-1-712A, SO AS TO DESIGNATE THE COLUMBIAN MAMMOTH AS THE OFFICIAL STATE FOSSIL.

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

Senator BRYANT proposed the following amendment (4482R008.KLB), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 35‑36 and inserting:

/ “Section 1‑1‑712A. The Columbian Mammoth, which was created on the Sixth Day with the other beasts of the field, is designated as the official State Fossil of South Carolina and must be officially referred to as the ‘Columbian Mammoth’, which was created on the Sixth Day with the other beasts of the field.” /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

The amendment was adopted.

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

**Recorded Vote**

Senator BRYANT desired to be recorded as voting against the motion to carry over.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**CARRIED OVER**

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

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

Senator CLEARY proposed the following amendment (1036R001.REC), which was adopted:

Amend the committee amendment, as and if amended, page [1036‑2], by striking line 4 and inserting:

/ (E)(1), and (E)(2) of this section.

(3) The administration of sedation or anesthesia, or both, in a dentist’s office by a licensed physician shall be administered pursuant to Chapter 47, Title 40. The administration of sedation or anesthesia, or both, in the dentist’s office by a licensed Certified Registered Nurse Anesthetist shall be administered pursuant to Chapter 33, Title 40. /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

The Committee on Medical Affairs proposed the following amendment (AGM\1036C006.AGM.AB14), which was adopted:

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

/ SECTION 1. This act must be known and may be cited as the “Dental Sedation Act”.

SECTION 2. Chapter 15, Title 40 of the 1976 Code is amended by adding:

“Article 3

Dental Sedation Act

Section 40‑15‑400. (A) For purposes of this section, ‘current’ means the certification course has been taken within two years. Other life support certifications approved by the board may be accepted.

(B)(1) A permit is not required for local anesthesia, nitrous oxide/oxygen, minimal sedation, or any combination thereof, where the patient has a depressed level of consciousness but is able to independently and continually maintain an airway with unaffected ventilatory and cardiovascular function and respond normally to tactile and verbal stimulation.

(2) A dentist who is not administering anesthesia, but is providing anesthesia in his dental office, must conform to the requirements of this chapter except subsections (C)(1), (D)(1), (E)(1), and (E)(2) of this section.

(C) To provide moderate enteral sedation, a dentist must first submit an application with an initial fee to the board with documentation of:

(1) completion of predoctoral, postdoctoral, or continuing education conscious sedation training in an accredited program to include twenty four hours of didactic instruction and ten cases commensurate with each intended route of administration; and

(2) applicable life support training, which must be:

(a) advanced cardiac life support (ACLS) certification that is current if treating adults and children; or

(b) pediatric advanced life support (PALS) certification that is current if treating only children.

(D) To provide moderate parenteral sedation, a dentist must first submit an application with an initial fee to the board with documentation of:

(1) completion of predoctoral, postdoctoral, or continuing education conscious sedation training in an accredited program to include sixty hours of didactic instruction and twenty cases commensurate with each intended route of administration; and

(2) applicable life support training, which must be:

(a) advanced cardiac life support (ACLS) certification that is current if treating adults and children; or

(b) pediatric advanced life support (PALS) certification that is current if treating only children.

(E) To provide deep sedation/general anesthesia, a dentist must first submit an application with an initial fee to the board with documentation of:

(1) completion of one year of advanced training in anesthesiology and related academic subjects or complete an oral and maxillofacial surgery residency program, or be a Diplomate of the American Board of Oral and Maxillofacial Surgery; provided, however, that the training must include sixty hours of didactic instruction and twenty cases commensurate with each intended route of administration;

(2) sixty hours of pediatric didactic training and twenty cases commensurate with each intended route of administration for children under thirteen years of age in order to provide pediatric deep sedation/general anesthesia; and

(3) applicable life support training, which must be:

(a) advanced cardiac life support (ACLS) certification that is current if treating adults and children; or

(b) pediatric advanced life support (PALS) certification that is current if treating only children.

(4) To provide deep sedation/general anesthesia, the applicant may pursue an advanced education route by means of various residencies, a specific oral and maxillofacial surgery residency, or may become a Diplomate of the American Board of Oral and Maxillofacial Surgery.

(F) Permit fees must be remitted biennially with the dental license renewal. These fees initially must be determined by the board pursuant to Section 40‑1‑50(D).

Section 40‑15‑410. (A) The applicant for a sedation permit must submit verification to the board that the applicant’s facilities meet the requirements of this section.

(B) The board must determine the qualifications of a facility inspector and biennially inspect each facility. All costs and expenses of the board and department incurred in performing these inspections must be paid exclusively with revenue from permit fees received pursuant to Section 40‑15‑400(F). The department may not conduct these inspections until sufficient funding from the receipt of these fees exist.

(C) To offer minimal sedation, a facility must have available:

(1) with respect to equipment:

(a) a positive‑pressure oxygen delivery system suitable for the patient being treated;

(b) when inhalation equipment is used, it must have a fail‑safe system that is appropriately checked and calibrated, and also must have either:

(i) a functioning device that prohibits the delivery of less than thirty percent oxygen; or

(ii) an appropriately calibrated and functioning in‑line oxygen analyzer with audible alarm; and

(c) an appropriate scavenging system must be available if gases other than oxygen or air are used; and

(2) with respect to preoperative preparation:

(a) the patient, parent, guardian, or caregiver must be advised regarding the procedure associated with the delivery of any sedative agents and informed consent for the proposed sedation must be obtained;

(b) the availability of an adequate oxygen supply and equipment necessary to deliver oxygen under positive pressure must be determined;

(c) baseline vital signs must be obtained unless the patient’s behavior prohibits the determination;

(d) a focused physical evaluation must be performed as considered appropriate;

(e) preoperative dietary restrictions must be considered based on the sedative techniques prescribed; and

(f) preoperative verbal and written instructions must be given to the patient, parent, escort, guardian, or caregiver.

(D)(1) In a facility offering minimal sedation under this chapter:

(a) a qualified dentist or an appropriately trained individual, at the discretion of the dentist, must continuously assess the patient’s level of consciousness and remain in the operatory during active dental treatment to monitor the patient continuously until the patient meets the criteria for discharge to the recovery area. The appropriately trained individual must be familiar with monitoring techniques and equipment. Monitoring must include:

(i) continuous evaluation of the color of mucosa, skin, or blood;

(ii) required oxygen saturation by pulse oximetry;

(iii) continuous observation of chest excursions by the dentist, an appropriately trained individual, or both;

(iv) continuous verification of respiration by the dentist, an appropriately trained individual, or both;

(v) preoperative, intraoperative, and postoperative evaluation of blood pressure and heart rate as necessary, unless the patient is unable to tolerate the monitoring;

(vi) maintenance of an appropriate sedative record, including the names of all drugs administered, including local anesthetics, dosages, and monitored physiological parameters;

(vii) immediate availability of oxygen and suction equipment if a separate recovery area is used;

(viii) monitoring of the patient during recovery by a qualified dentist or appropriately trained clinical staff until the patient is ready for discharge by the dentist;

(ix) determination and documentation by the qualified dentist of the patient’s satisfactory level of consciousness, oxygenation, ventilation, and circulation before discharge;

(x) provision of postoperative verbal and written instructions to the patient, parent, escort, guardian, or caregiver; and

(xi) cessation of the dental procedure if a patient enters a deeper level of sedation than the dentist is qualified to provide, until the patient returns to the intended level of sedation;

(b) a qualified dentist is responsible for the sedative management, adequacy of the facility and staff, diagnosis, and treatment of emergencies related to the administration of minimal sedation and providing the equipment and protocols for patient rescue; and

(c) for children under thirteen years of age, the board supports the American Dental Association’s stance that supports the use of the American Academy of Pediatrics/American Academy of Pediatric Dentistry ‘Guidelines for Monitoring and Management of Pediatric Patients During and After Sedation for Diagnostic and Therapeutic Procedures’.

(E) To offer moderate sedation, a facility must have available:

(1) with respect to equipment:

(a) a positive‑pressure oxygen delivery system suitable for the patient being treated;

(b) when inhalation equipment is used, it must have a fail‑safe system that is appropriately checked and calibrated, and also must have either:

(i) a functioning device that prohibits the delivery of less than thirty percent oxygen; or

(ii) an appropriately calibrated and functioning in‑line oxygen analyzer with audible alarm;

(c) an appropriate scavenging system must be available if gases other than oxygen or air are used; and

(d) equipment necessary to establish intravenous access; and

(2) with respect to preoperative preparation:

(a) the patient, parent, guardian or caregiver must be advised regarding the procedure associated with the delivery of any sedative agents and informed consent for the proposed sedation must be obtained;

(b) the availability of an adequate oxygen supply and equipment necessary to deliver oxygen under positive pressure must be determined;

(c) baseline vital signs must be obtained unless the patient’s behavior prohibits the determination;

(d) a focused physical evaluation must be performed as considered appropriate;

(e) preoperative dietary restrictions must be considered based on the sedative techniques prescribed; and

(f) preoperative verbal and written instructions must be given to the patient, parent, escort, guardian, or caregiver.

(F)(1) In a facility offering moderate sedation under this chapter:

(a) a qualified dentist or an appropriately trained individual, at the discretion of the dentist, must remain in the operatory during active dental treatment to monitor the patient continuously until the patient meets the criteria for discharge to the recovery area. The appropriately trained individual must be familiar with monitoring techniques and equipment. Monitoring must include:

(i) continuous assessment of level of consciousness, such as responsiveness to verbal commands;

(ii) continuous evaluation of color of mucosa, skin, or blood and oxygen saturation by pulse oximetry;

(iii) continuous observation by the dentist of chest excursions and ventilation monitoring, which can be accomplished by auscultation of breath sounds, monitoring end‑tidal CO2, or by verbal communication with the patient;

(iv) continuous evaluation of blood pressure and heart rate if tolerable by the patient and if noted in the time‑oriented anesthesia record;

(v) continuous EKG monitoring for patients with significant cardiovascular disease;

(vi) maintenance of an appropriate time‑oriented anesthetic record, including the names of all drugs, dosages, and their administration times, including local anesthetics, dosages, and monitored physiological parameters;

(vii) continuous documentation of pulse oximetry, heart rate, respiratory rate, blood pressure, and level of consciousness; and

(viii) cessation of the dental procedure if a patient enters a deeper level of sedation than the dentist is qualified to provide, until the patient returns to the intended level of sedation;

(2) a qualified dentist is responsible for the sedative management, adequacy of the facility and staff, diagnosis and treatment of emergencies related to the administration of moderate sedation, and providing the equipment, drugs, and protocol for patient rescue; and

(3) for children under thirteen years of age, the board supports the American Dental Association’s stance that supports the use of the American Academy of Pediatrics/American Academy of Pediatric Dentistry ‘Guidelines for Monitoring and Management of Pediatric Patients During and After Sedation for Diagnostic and Therapeutic Procedures’.

(G) To offer deep sedation/general anesthesia, a facility must have:

(1) with respect to equipment:

(a) a positive‑pressure oxygen delivery system suitable for the patient being treated;

(b) when inhalation equipment is used, it must have a fail‑safe system that is appropriately checked and calibrated. The equipment also must have either:

(i) a functioning device that prohibits the delivery of less than thirty percent oxygen; or

(ii) an appropriately calibrated and functioning in‑line oxygen analyzer with audible alarm;

(c) an appropriated scavenging system must be available if gases other than oxygen or air are used;

(d) equipment necessary to establish intravenous access;

(e) equipment and drugs necessary to provide advanced airway management;

(f) advanced cardiac life support and reversal agents, if applicable;

(g) a capnograph must be used and an inspired agent analysis monitor should be considered if volatile anesthetic agents are used;

(h) resuscitation medications and an appropriate defibrillator must be immediately available;

(i) EKG for deep sedation/general anesthesia; and

(j) a chair or operating table that allows for CPR to be performed on the patient; and

(2) with respect to preoperative preparation:

(a) the patient, parent, guardian, or caregiver must be advised regarding the procedure associated with the delivery of any sedative agents and informed consent for the proposed sedation must be obtained;

(b) availability of adequate oxygen supply and equipment necessary to deliver oxygen under positive pressure must be determined;

(c) baseline vital signs must be obtained unless the patient’s behavior prohibits the determination;

(d) a focused physical evaluation must be performed as considered appropriate;

(e) preoperative dietary restrictions must be considered based on the sedative techniques prescribed;

(f) preoperative verbal and written instructions must be given to the patient, parent, escort, guardian, or caregiver; and

(g) an intravenous line, which is secured throughout the procedure, must be established except as provided in subsection (I).

(H) In a facility offering deep sedation/general anesthesia under this chapter:

(1) a dentist or an appropriately trained individual, in the discretion of the dentist, must remain in the operatory during active dental treatment to monitor the patient continuously until the patient meets the criteria for discharge to the recovery area. The appropriately trained individual must be familiar with monitoring techniques and equipment. Monitoring must include:

(a) continuous evaluation of color of mucosa, skin, or blood and oxygen saturation by pulse oximetry;

(b) continuous monitoring and evaluation of:

(i) end‑tidal CO2 for intubated patient; and

(ii) breath sounds by means of auscultation, end‑tidal CO2, or both for nonintubated patient;

(c) continuous monitoring and evaluation of respiration rate;

(d) continuous evaluation of heart rate and rhythm by means of EKG throughout the procedure, as well as pulse rate by means of pulse oximetry and blood pressure;

(e) ready availability of a device capable of measuring body temperature during the administration of deep sedation/general anesthesia;

(f) availability and use of equipment to continuously monitor body temperature whenever triggering agents associated with malignant hyperthermia are administered;

(g) maintenance of an appropriate time‑oriented anesthetic record, including the names of all drugs, dosages, and their administration times, including local anesthetics and monitored physiological parameters; and

(h) continuous recording of:

(i) pulse oximetry and end‑tidal CO2 measurements, if taken;

(ii) heart rate;

(iii) respiratory rate; and

(iv) blood pressure;

(2) when a mental or physical challenge precludes a dental patient from having a comprehensive physical examination or appropriate laboratory tests before undergoing deep sedation/general anesthesia, the dentist responsible for administering that anesthesia should document the reasons preventing the recommended preoperative management; and

(3) use of deep sedation/general anesthesia without establishing an indwelling intravenous line may be warranted in selected circumstances, including very brief procedures or the establishment of intravenous access after deep sedation/general anesthesia has been induced because of poor patient cooperation.

(I) A facility inspection is not required for the administration of anesthesia at those hospitals, dental schools, and other dental settings approved by the Joint Commission on Accreditation of Healthcare Organizations or the Commission on Dental Accreditation.

Section 40‑15‑420. (A) All dental staff who provide direct, hands‑on patient care must be certified in cardiopulmonary resuscitation and the basic life support level by a board‑approved training course. The certification must have been received in the immediately preceding two years.

(B) The operating dentist shall provide training for staff with hands‑on patient care commensurate with the level and mode of sedation administered. This training must be documented and available for inspection by the department upon request.

(C) The dentist must include four hours in pharmacology, anesthesia, emergency medicine, or sedation every two years as part of the continuing educational requirements of this chapter.

Section 40‑15‑430. (A) For minimal sedation and moderate sedation, at least one person trained in Basic Life Support for Healthcare Providers must be present in addition to the dentist.

(B) For deep sedation/general anesthesia, at least two support personnel adequately trained in Basic Life Support for Healthcare Providers must be present in addition to the dentist. If the same individual administering the deep sedation/general anesthesia is performing the dental procedure, one of the additional appropriately trained team members must be designated for patient monitoring.

(C) During recovery and discharge the dentist must determine and document whether the patient:

(1) has stable vital signs, is mentally alert, and has stable levels of oxygenation, ventilation, circulation, and temperature;

(2) has a minimum of one adequately trained support personnel who must be present with the patient;

(3) is fully recovered from anesthetic drugs before discharged to the care of a responsible adult available to provide assisted care to the patient;

(4) support personnel assists the patient into the vehicle transporting him from the facility; and

(5) written postoperative instructions are given to and are reviewed with the patient and the adult responsible for the patient.

Section 40‑15‑440. A dentist shall give written notice to the board at least thirty days before he may relocate, add to, or significantly change a facility where procedures under this chapter are performed.

Section 40‑15‑450. (A) A dentist shall:

(1) maintain timely, legible, accurate, and complete patient records; and

(2) timely provide these records to the patient, another dentist, or a designated medical professional in response to a lawful request for the records by the patient or his legal representative or designee.

(B) A dental practice must have a procedure for initiating and maintaining a health record for every patient evaluated or treated. For procedures requiring patient consent, there must be an informed consent documented in the patient record.

(C) The health record of a patient required under subsection (B) must include appropriate information to:

(1) identify the patient, support the diagnosis, and justify the treatment;

(2) identify the procedure code or suitable narrative description of the procedure; and

(3) document the outcome and required follow‑up care.

(D) If moderate sedation or deep sedation/general anesthesia is provided, the health record of a patient also must include documentation of:

(1) patient weight;

(2) type of anesthesia used;

(3) type and dosage of drugs administered, if any;

(4) fluid administered, if any;

(5) a record of vital signs monitoring;

(6) patient level of consciousness during the procedure;

(7) duration of the procedure;

(8) complications related to the procedure or anesthesia, if any; and

(9) time‑oriented anesthesia record.”

SECTION 3. Section 40‑15‑85 of the 1976 Code is amended to read:

“Section 40‑15‑85. For purposes of this chapter:

(1) ‘Analgesia’ means the diminution or elimination of pain with full consciousness maintained by the patient.

(2) ‘Deep sedation’ means a drug‑induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated or painful stimulation. Reflex withdrawal from a painful stimulus is not considered a purposeful response. The ability to independently maintain ventilator function may be impaired. Patients may require assistance in maintaining patients’ airways. Spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.

(~~1~~3) ‘Direct supervision’ means that a dentist is in the dental office, personally diagnoses the condition to be treated, personally authorizes the procedure, and before the dismissal of the patient, evaluates the performance of the auxiliary. This requirement does not mandate that a dentist be present at all times, but he or she must be on the premises actually involved in supervision and control.

(4) ‘Enteral’ means a route of administration that includes any technique in which the agent is absorbed through the gastrointestinal tract or oral mucosa.

(5) ‘General anesthesia’ means a drug‑induced loss of consciousness during which patients are not aroused, even by painful stimulation. The ability to independently maintain ventilatory functions is often impaired. Patients often require assistance in maintaining patients’ airways; positive pressure ventilation may be required because of depressed spontaneous ventilation or drug‑induced depression of neuromuscular function. Cardiovascular function may be impaired.

(a) Because sedation and general anesthesia are on a continuum, it is not always possible to predict how an individual patient will respond. Hence, practitioners intending to produce a given level of sedation should be able to diagnose and manage the physiologic consequences for patients whose level of sedation becomes deeper than initially intended.

(b) For all levels of sedation, the practitioner must have the training, skills, drugs, and equipment to identify and manage such an occurrence until either assistance arrives or the patient returns to the intended level of sedation without airway or cardiovascular complications.

(~~2~~6) ‘General supervision’ means that a licensed dentist or the South Carolina Department of Health and Environmental Control’s public health dentist has authorized the procedures to be performed but does not require that a dentist be present when the procedures are performed.

(7) ‘Inhalation’ means a route of administration in which a gaseous or volatile agent introduced into the lungs and whose primary effect is due to absorption through the interface of gas and blood.

(8) ‘Local anesthesia’ means the elimination of sensation, especially pain, in one part of the body by the topical application or regional as applies to dental, oral, or maxillofacial injection of a drug.

(9) ‘Minimal sedation’ means a minimally depressed level of consciousness, produced by a pharmacological method, that retains the patient’s ability to independently and continuously maintain an airway and respond normally to tactile stimulation and verbal command. Although cognitive functions and coordination may be modestly impaired, ventilator and cardiovascular functions are unaffected.

(a) When the intent is minimal sedation for adults, the appropriate initial dosing of a single enteral drug is no more than the maximum recommended dose of a drug that can be prescribed for unmonitored home use.

(b) The use of preoperative sedatives for children under thirteen years of age before arrival in the dental office, except in extraordinary situations, must be avoided due to the risk of unobserved respiratory obstruction during transport by untrained individuals.

(c) Children under thirteen years of age may become moderately sedated despite the intended level of minimal sedation; should this occur, the guidelines for moderate sedation apply.

(d) For children under thirteen years of age, the board supports the American Dental Association’s stance that supports the use of the American Academy of Pediatrics/American Academy of Pediatric Dentistry’s ‘Guidelines for Monitoring and Management of Pediatric Patients During and After Sedation for Diagnostic and Therapeutic Procedures’.

(e) Nitrous oxide, oxygen, or both may be used in combination with a single enteral drug in minimal sedation.

(f) Nitrous oxide, oxygen, or both, when used in combination with a sedative agent, may produce minimal, moderate, or deep sedation/general anesthesia.

(10) ‘Moderate sedation’ means a drug‑induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. No interventions are required to maintain patients’ airways, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained.

(~~3~~11) ‘Oral prophylaxis’ means the removal of any and all hard and soft deposits, accretions, toxins, and stain from any natural or restored surfaces of teeth or prosthetic devices by scaling and polishing as a preventive measure for the control of local irritational factors.

(12) ‘Parenteral’ means a route of administration in which the drug bypasses the gastrointestinal tract.

(13) ‘Titration’ means the administration of moderate or greater sedation. The term means administration of incremental doses of a drug until a desired effect is reached. Knowledge of each drug’s time of onset, peak response, and duration of action is essential to avoid oversedation. Although the concept of titration of a drug to effect is critical for patient safety, when the intent is moderate sedation, one must know whether the previous dose has taken full effect before administering an additional drug increment.

(14) ‘Transdermal’ means a route of administration in which the drug is administered by patch or iontophoreis through skin.

(15) ‘Transmucosal’ means a route of administration in which the drug in administered across mucosa such as intranasal, sublingual or rectal.”

SECTION 4. Sections 40‑15‑10 through 40‑15‑380 of the 1976 Code are designated as Article 1, entitled “General Provisions”.

SECTION 5. The provisions of this act take effect January 1, 2015./

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The committee amendment was adopted.

On motion of Senator CLEARY, 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.

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.

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

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

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

On motion of Senator 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. 890 -- Senator Cleary: A BILL TO AMEND SECTION 48‑39‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, SO AS TO DELETE THE EMERGENCY ORDER EXCEPTION TO ORDERS BY APPOINTED OFFICIALS OF COUNTIES AND MUNICIPALITIES; TO AMEND SECTION 48‑39‑280, RELATING TO THE SHORELINE FORTY‑YEAR RETREAT POLICY, SO AS TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER JULY 1, 2014, AND TO ELIMINATE THE RIGHT OF LOCAL GOVERNMENTS AND LANDOWNERS TO PETITION THE ADMINISTRATIVE LAW COURT TO MOVE THE BASELINE SEAWARD UPON COMPLETION OF A BEACH RENOURISHMENT PROJECT; AND TO AMEND SECTION 48‑39‑290, AS AMENDED, RELATING TO CONSTRUCTION RESTRICTIONS SEAWARD OF THE BASELINE, EXCEPTIONS TO RESTRICTIONS, AND SPECIAL PERMITS, SO AS TO ELIMINATE THE EXCEPTION OF GOLF COURSES FROM A PERMIT REQUIREMENT AND TO SUBSTITUTE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL’S COASTAL DIVISION AS THE DIVISION TO CONSIDER APPLICATIONS FOR SPECIAL PERMITS.

On motion of Senator CLEARY, 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.

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

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

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

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

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

Senator MASSEY explained the Bill.

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

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

On motion of Senator CLEARY, 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 NICHOLSON, the Resolution was carried over.

**COMMITTED TO THE LOCAL DELEGATION**

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.

On motion of Senator PEELER, the Bill was recommitted to the Local Delegation.

**RECOMMITTED**

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

Senator PEELER asked unanimous consent to make a motion to recommit the Bill to the Committee on Finance.

There was no objection and the Bill was recommitted to the Committee on Finance.

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

**MOTION ADOPTED**

At 12:50 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

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

**CONCURRENCE**

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

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

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

**Ayes 33; Nays 0**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson Peeler

Scott Setzler Thurmond

Turner Williams Young

**Total--33**

**NAYS**

**Total--0**

The Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

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

**DEBATE INTERRUPTED**

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

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

**Amendment No. P1A**

Senator PEELER proposed the following amendment (S-516-2):

Amend the committee amendment, as and if amended, by striking it in its entirety and inserting:

/ Whereas, the South Carolina General Assembly finds that national research has documented that students unable to comprehend grade‑level text struggle in all their courses; and

Whereas, the South Carolina General Assembly finds that while reading typically has been assessed through standardized tests beginning in third grade, research has found that many struggling readers reach preschool or kindergarten with low oral language skills and limited print awareness. Once in school, they and other students fail to develop proficiency with decoding or comprehension because of inadequate instruction; and

Whereas, the South Carolina General Assembly finds that research has also shown that students who have difficulty comprehending texts struggle academically in their content area courses but seldom receive effective instructional intervention during middle and high school to improve their reading comprehension. These are the students least likely to graduate; and

Whereas, the South Carolina General Assembly finds that one recent longitudinal study found that students reading below grade level at the end of third grade were six times more likely to leave school without a high school diploma; and

Whereas, the South Carolina General Assembly finds that reading proficiency is a fundamental life skill vital for the educational and economic success of our citizens and State. In accordance with the ruling of the South Carolina Supreme Court that all students must be given “an opportunity to acquire the ability to read, write, and speak the English language”, we find that all students must be given high quality instruction in order to learn to read, comprehend, write, speak, listen, and use language effectively across all content areas; and

Whereas, to guarantee that all students exhibit these abilities and behaviors, the State of South Carolina must implement a comprehensive and strategic approach to reading proficiency for students in prekindergarten through twelfth grade that begins when each student enters the public school system and continues until he or she graduates. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 155

South Carolina Read to Succeed Act

Section 59‑155‑110. There is established the South Carolina Read to Succeed Office to offer a comprehensive, systemic approach to reading which will ensure that:

(1) classroom teachers use evidence-based reading instruction in prekindergarten through grade 12, to include oral language, phonological awareness, phonics, fluency, vocabulary, and comprehension; administer and interpret valid and reliable assessments; analyze data to inform reading instruction; and provide evidence based interventions as needed so that all students develop proficiency with literacy skills and comprehension;

(2) classroom teachers periodically reassess their curriculum and instruction to determine if they are helping each student progress as a proficient reader and make modifications as appropriate;

(3) each student who cannot yet comprehend grade-level texts identified as early as possible and at all stages of his or her educational process;

(4) each student receives targeted, effective comprehension support from the classroom teacher and, if needed, supplemental support from a reading interventionist so that ultimately all students can comprehend grade-level texts;

(5) each student and his parent or guardian is continuously informed in writing of:

(a) the student’s reading proficiency needs, progress, and ability to comprehend grade-level texts;

(b) specific actions the classroom teacher and other reading professionals have taken and will take to help the student comprehend grade-level texts; and

(c) specific actions that the parent or guardian can take to help the student comprehend grade-level texts by providing access to books, assuring time for the student to read independently, reading to students, and talking with student about books;

(6) classroom teachers receive preservice and in‑service coursework which prepares them to help all students comprehend grade-level texts;

(7) all students develop reading and writing proficiency to prepare them to graduate and to succeed in career and postsecondary education; and

(8) each school district and each school develops and publishes annually a comprehensive research‑based reading plan that includes intervention options available to students and funding for these services.

Section 59‑155‑120. As used in this chapter:

(1) ‘Board’ means the State Board of Education.

(2) ‘Department’ means the State Department of Education.

(3) ‘Discipline specific literacy’ means the ability to read, write, listen and speak across various disciplines and content areas including, but not limited to, English language arts, science, mathematics, social studies, physical education, health, the arts, and career and technology education.

(4) ‘Readiness assessment’ means assessments used to analyze students’ literacy, mathematical, physical, social, and emotional‑behavioral competencies in prekindergarten or kindergarten.

(5) ‘Reading interventions’ means individual or group assistance in the classroom and supplemental support based on curricular and instructional decisions made by classroom teachers who have proven effectiveness in teaching reading and an add-on literacy endorsement or readying/literacy coaches who meet the minimum qualifications established in guidelines published by the Department of Education.

(6) ‘Reading portfolio’ means an organized collection of evidence and assessments documenting that the student does not substantially fail to demonstrate third-grade reading proficiency.

(7) ‘Reading proficiency’ means the ability of students to meet state reading standards in kindergarten through grade twelve, demonstrated by readiness, formative, or summative assessments.

(8) ‘Reading proficiency skills’ means the ability to understand how written language works at the word, sentence, paragraph, and text level and mastery of the skills, strategies, and oral and written language needed to comprehend grade-level texts.

(9) ‘Research‑based formative assessment’ means assessments used within the school year to analyze strengths and weaknesses in reading comprehension of students individually to adapt instruction to meet student needs, make decisions about appropriate intervention services, and inform placement and instructional planning for the next grade level.

(10) ‘Substantially fails to demonstrate third‑grade reading proficiency’ means reading at levels that are equal to or comparable to the level or Not Met 1 on the Palmetto Assessment of State Standards (PASS).

(11) ‘Summative assessment’ means state‑approved assessments administered in grades three through eight and any statewide assessment used in grades nine through twelve to determine student mastery of grade‑level or content standards.

(12) ‘Summer reading camp’ means an educational program offered in the summer by each local school district for students who are unable to comprehend grade-level texts.

(13) ‘Third‑grade reading proficiency’ means the ability to read grade-level texts by the end of a student’s third grade year as demonstrated by the results of state‑approved assessments administered to third grade students, or through other assessments as noted in this chapter and adopted by the board.

(14) ‘Writing proficiency skills’ means the ability to communicate information, analysis and persuasive points of view effectively in writing.

Section 59‑155‑130. The Read to Succeed Office must guide and support districts and collaborate with university teacher training programs to increase reading proficiency through the following functions including, but not limited to:

(1) providing professional development to teachers, school principals, and other administrative staff on reading instruction and reading assessment that informs instruction;

(2) providing professional development to teachers, school principals, and other administrative staff on reading in content areas;

(3) working collaboratively with institutions of higher learning offering courses in reading and writing and those institutions of education offering accredited master’s degrees in reading‑literacy to design coursework leading to a literacy teacher add‑on endorsement by the State;

(4) providing professional development in reading and coaching for already certified reading/literacy coaches and literacy teachers;

(5) developing information and resources that school districts can use to provide workshops for parents about how they can support their children as readers;

(6) assisting school districts in the development and implementation of their district reading proficiency plans for researched‑based reading instruction programs and to assist each of their schools to develop its own implementation plan aligned with the district and state plans; and

(7) annually designing content and questions for and review and approve the reading proficiency plan of each district.

Section 59‑155‑140. (A)(1) The department with approval by the State Board of Education, will develop, implement, evaluate, and continuously refine a comprehensive state plan to improve reading achievement in public schools. The State Reading Proficiency Plan must be approved by the board by January 1, 2015, and must include, but not be limited to, sections addressing the following components:

(a) reading process;

(b) professional development to increase teacher reading expertise;

(c) professional development to increase reading expertise and literacy leadership of principals and assistant principals;

(d) reading instruction;

(e) reading assessment;

(f) volume of reading;

(g) discipline specific literacy;

(h) writing;

(i) support for struggling readers;

(j) early childhood interventions;

(k) family support of literacy development;

(l) district guidance and support for reading proficiency;

(m) state guidance and support for reading proficiency;

(n) accountability; and

(o) urgency to improve reading proficiency.

(2) The plan must be based on reading research and proven‑effective practices, applied to the conditions prevailing in reading‑literacy education in this State, with special emphasis on addressing instructional and institutional deficiencies that can be remedied through faithful implementation of research‑based practices. The plan must provide standards, format, and guidance for districts to use to develop and annually update their plans as well as to present and explain the research‑based rationale for state‑level actions to be taken. The plan must be updated annually and must incorporate a state reading proficiency progress report.

(3) The plan must include specific plans for all substantial uses of state, local, and federal funds promoting reading‑literacy and best judgment estimates of the cost of research‑supported, thoroughly analyzed proposals for initiation, expansion, or modification of major funding programs addressing reading and writing. Analyses of funding requirements must be prepared by the department for incorporation into the plan.

(B)(1) Beginning in Fiscal Year 2015‑2016, each district must prepare a comprehensive annual reading proficiency plan for prekindergarten through twelfth grade consistent with the plan by responding to questions and presenting specific information and data in a format specified by the Read to Succeed Office. Each district’s PK‑12 reading proficiency plan must present the rationale and details of its blueprint for action and support at the district, school, and classroom levels. Each district should develop a comprehensive plan for supporting the progress of students as readers and writers, monitoring the impact of its plan, and using data to make improvements and to inform its plan for the subsequent years. The framework for the district plan piloted in school districts in 2013-2014 and revised based on the input of districts will be used as the initial district reading plan template implemented in Fiscal Year 2015-2016.

(2) Each district PK‑12 reading proficiency plan shall:

(a) document the reading and writing assessment and instruction planned for all PK‑12 students and the interventions in prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade‑appropriate texts. Supplemental instruction should be provided by teachers who have a literacy teacher add‑on endorsement and offered during the school day and, as appropriate, before or after school in book clubs, through a summer reading camp, or both;

(b) include a system for helping parents understand how they can support the student as a reader at home;

(c) provide for the monitoring of reading achievement and growth at the classroom, school, and district levels with decisions about intervention based on all available data;

(d) ensure that students are provided with wide selections of texts over a wide range of genres and written on a wide range of reading levels to match the reading levels of students;

(e) provide teacher training in reading and writing instruction; and

(f) include strategically planned and developed partnerships with county libraries, state and local arts organizations, volunteers, social service organizations and school media specialists to promote reading.

(3)(a) The Read to Succeed Office shall develop the format for the plan and the deadline for districts to submit their plans to the office for its approval. A school district that does not submit a plan or whose plan is not approved will receive no state funds for reading until it submits a plan that is approved. All district reading plans must be reviewed and approved by the Read to Succeed Office. The office will provide written comments to each district on its plan and to all districts on common issues raised in prior or newly submitted district reading plans.

(b) The Read to Succeed Office will monitor the district and school plans and use their findings to inform the training and support the office provides to districts and schools.

(c) The department may direct a district that is persistently unable to prepare an acceptable PK‑12 reading proficiency plan or to help all students comprehend grade-level texts to enter into a multidistrict or contractual arrangement to develop an effective intervention plan.

(C) Each school must prepare an implementation plan aligned with the plan of its district to enable the district to monitor and support implementation at the school level. A school plan should be sufficiently detailed to provide practical guidance for classroom teachers. Proposed strategies for assessment, instruction, and other activities specified in the school plan must be sufficient to provide to classroom teachers and other instructional staff helpful guidance that can be related to the critical reading and writing needs of students in the school. In consultation with the School Improvement Council, each school must include in its plan the training and support that will be provided to parents as needed to maximize their promotion of reading and writing by students at home and in the community.

Section 59‑155‑150. (A) The State Superintendent of Education shall ensure that every student entering the public schools for the first time in prekindergarten and kindergarten will be administered a readiness assessment by the forty‑fifth day of the school year. The assessment must assess each child’s early language and literacy development, mathematical thinking, physical well‑being, and social‑emotional development. The assessment may include multiple assessments, all of which must be approved by the board. The approved assessments of academic readiness must be aligned with first and second grade standards for English language arts and mathematics. The purpose of the assessment is to provide teachers and parents or guardians with information to address the readiness needs of each student, especially by identifying language, cognitive, social, emotional, health problems, and concerning appropriate instruction for each child. The results of the assessment and the developmental intervention strategies recommended to address the child’s identified needs must be provided, in writing, to the parent or guardian. Reading instructional strategies and developmental activities for children whose oral language skills are assessed to be below the norm of their peers in the State must be aligned with the district’s reading proficiency plan for addressing the readiness needs of each student. The results of each assessment also must be reported to the Read to Succeed Office through an electronic information system.

(B) Any student enrolled in prekindergarten, kindergarten, first grade, second grade or third grade who is substantially not demonstrating proficiency in reading, based upon formal diagnostic assessments or through teach observations, must be provided intensive in-class and supplemental reading intervention immediately upon determination. The intensive interventions must be provided as individualized and small group assistance based on the analysis of assessment data. All sustained interventions must be aligned with the district’s reading proficiency plan. These interventions must be at least thirty minutes in duration and be in addition to ninety minutes of daily reading and reading instruction provided to all students in the kindergarten through grade three. The district must continue to provide intensive in‑class intervention and at least thirty minutes of supplemental intervention until the student can comprehend and write grade-level texts independently. In addition, the parent or guardian of the student must be notified, in writing, of the child’s inability to read grade-level texts at the end of the planned interventions. The results of the initial assessments and progress monitoring also must be provided to the Read to Succeed Office through an electronic student reading progress monitoring data system for individually identified child reading data which can be linked and compared over time to evaluate progress.

(C) Programs that focus on early childhood literacy development in the State are required to promote:

(1) parent training and support for parent involvement in developing children’s literacy; and

(2) development of oral language, print awareness, and emergent writing; and are encouraged to promote community literacy including, but not limited to, primary health care providers, faith‑based organizations, county libraries, and service organizations.

Section 59‑155‑160. (A) Beginning with the 2017-2018 school year, a student must be retained in the third grade if the student fails substantially to demonstrate third‑grade reading proficiency at the end of the third grade. A student may be exempt for good cause from the mandatory retention but shall continue to receive instructional support and services and reading intervention appropriate for their age and reading level. Good cause exemptions include students:

(1) with limited English proficiency and less than two years of instruction in English as a Second Language program;

(2) with disabilities whose individual education plan indicates the use of alternative assessments or alternative reading interventions and students with disabilities whose individual education plan or Section 504 plan reflects that the student has received intensive remediation in reading for more than two years but still does not substantially demonstrate reading proficiency;

(3) who demonstrate third‑grade reading proficiency on an alternative assessment approved by the board and which teachers may administer following the administration of the state assessment of reading or after a student’s participating in a summer reading camp;

(4) who have received reading intervention and were previously retained; and

(5) who through a reading portfolio document the student’s mastery of the state standards in reading equal to at least a level above the lowest level on the state reading assessment. Such evidence must be an organized collection of the student’s mastery of the state English language arts standards that are assessed by the Grade 3 state reading assessment. The Read to Succeed Office will develop guidelines for the student portfolio; however the student portfolio must meet the following minimum criteria:

(a) be selected by the student’s English language arts teacher or summer reading camp instructor;

(b) be an accurate picture of the student's ability and only include student work that has been independently produced in the classroom;

(c) include evidence that the benchmarks assessed by the Grade 3 state reading assessment have been met. Evidence is to include multiple choice items and passages that are approximately sixty (60) percent literary text and forty (40) percent information text, and that are between 100-700 words with an average of 500 words. Such evidence could include chapter or unit tests from the district's/school’s adopted core reading curriculum that are aligned with the state English language arts standards or teacher-prepared assessments.

(d) be an organized collection of evidence of the student’s mastery of the English language arts state standards that are assessed by the Grade 3 state reading assessment. For each benchmark there must be at least three (3) examples of mastery as demonstrated by a grade of seventy (70) percent or above; and

(e) be signed by the teacher and the principal as an accurate assessment of the required reading skills.

(B) The superintendent of the local school district must determine whether a student in the district may be exempt from the mandatory retention by taking all of the following steps:

(1) The teacher of a student eligible for exemption must submit to the principal documentation on the proposed exemption and evidence that promotion of the student is appropriate based on the student’s academic record. This evidence must be limited to the student’s individual reading proficiency plan, individual education program, alternative assessments, or student reading portfolio. The Read to Succeed Office must provide districts with a standardized form to use in the process.

(2) The principal must review the documentation and determine whether the student should be promoted. If the principal determines the student should be promoted, the principal must submit a written recommendation for promotion to the district superintendent for final determination.

(3) The district superintendent’s acceptance or rejection of the recommendation must be in writing and a copy must be provided to the parent or guardian of the child.

(C) Students substantially not demonstrating third-grade reading proficiency may enroll in a summer camp prior to being retained the following school year. Summer camps must be six to eight weeks long for four or five days each week and include at least five and one-half hours of instructional time daily. The camps must be taught by compensated teachers who have at least a Literacy Endorsement add-on and who have demonstrated substantial success in helping students comprehend grade level texts. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student's participation in the summer read camp. A district may offer summer reading camps for students who are not exhibiting reading proficiency in prekindergarten through grade 2. The district may charge fees based on a sliding scale pursuant to Section 59-19-90. Students who demonstrate third-grade reading proficiency through an alternative assessment or student reading portfolio after completing the summer reading camp must be promoted to the fourth grade.

(D) Retained students must be provided intensive instructional services and supports including a minimum of ninety minutes of daily, uninterrupted reading and reading instruction, supplemental text-based instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student’s individual reading proficiency skills through small group instruction, reduced teacher‑student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The school must report through the student reading progress monitoring data system to the Read to Succeed Office on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.

(E) If the student is not demonstrating third‑grade reading proficiency by the end of third grade, his parent or guardian timely must be notified, in writing, that the student will be retained unless exempted from mandatory retention for good cause. The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the child. The written notification must include a description of the proposed reading interventions that will be provided to help the student comprehend grade-level texts. The parent, guardian, or other education advocate of a retained student must receive written reports at least monthly on the student’s progress towards being able to read grade-level texts based upon the student’s classroom work, observations, tests, assessment, and other information. The parent, guardian, or other education advocate also must be provided with a plan for promoting reading at home, including participation in shared or guided reading workshops for the parent, guardian, or other family members. The parent or guardian of a retained student must be offered supplemental tutoring for the retained student in evidenced‑based services outside the instructional day.

(F) For students in grades four and above who are substantially not demonstrating reading proficiency, interventions will be provided by reading interventionists in the classroom and, as appropriate, before or after school as documented in the district reading plan.

Section 59‑155‑170. (A) To help students develop and apply their reading and writing skills across the school day in all the academic disciplines, including, but not limited to, English language arts, mathematics, science, social studies, the arts, career and technology education, and physical and health education, teachers of these content areas at all grade levels must focus on helping students comprehend print and non-print texts authentic to the content area. The Read to Succeed Program is intended to institutionalize in the public schools a comprehensive system to promote high achievement in the content areas described in this chapter through extensive reading and writing. Research-based practices must be employed to promote comprehension skills through, but not limited to:

(1) vocabulary;

(2) connotation of words;

(3) connotations of words in context with adjoining or prior text;

(4) concepts from prior text;

(5) personal background knowledge;

(6) ability to interpret meaning through sentence structure features;

(7) questioning;

(8) visualization; and

(9) discussion of text with peers.

(B) These practices must be mastered by teachers through high quality training and addressed through well‑designed and effectively executed assessment and instruction implemented with fidelity to research‑based instructional practices presented in the state, district, and school reading plans. All teachers, administrators, and support staff must be trained adequately in reading comprehension in order to perform effectively their roles enabling each student to become proficient in content area reading and writing.

(C) During the 2014-2015 school year, the Read to Succeed Office shall establish a set of essential competencies that describe what certified teachers at the early childhood, elementary, middle or secondary levels must know and be able to do so that all students can comprehend grade-level texts. These competencies, developed collaboratively with the faculty of higher education institutions and based on research and national standards, must then be incorporated into the coursework required by Section 59-155-180. The Read to Succeed Office, in collaboration with South Carolina Education Television, shall provide professional development courses at no cost to the educator to ensure that educators have access to multiple avenues of receiving endorsements.

Section 59‑155‑180. (A) As a student progresses through school, reading comprehension in content areas such as science, mathematics, social studies, English language arts, career and technology education and the arts is critical to the student’s academic success. Therefore, to improve the academic success of all students in pre-kindergarten through grade 12, the State will strengthen its preservice and in-service teacher education programs.

(B) (1) Beginning with students entering a teacher education program in the fall semester of the 2016-2017 school year, all pre-service teacher education programs including MAT degree programs must require all candidates seeking licensure at the early childhood or elementary level to complete a 12-semester credit sequence in literacy that includes a school-based practicum and ensures that candidates grasp the theory, research and practices that support and guide the teaching of reading. The six components of the reading process that are comprehension, oral language, phonological awareness, phonics, fluency, and vocabulary will provide the focus for this sequence to ensure that all teacher candidates are skilled in diagnosing a child’s reading problems and are capable of provided an effective intervention. All literacy teacher preparation programs are to be approved by the Read to Succeed Office to ensure that all teacher education candidates possess the knowledge and skills to assist effectively all children in becoming proficient readers. The General Assembly is not mandating an increase in the number of semester hours required for teacher candidates but is requiring that pre-service teacher education programs prioritize its mission and resources so all early and elementary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(2) Beginning with students entering a teacher education program in the fall semester of the 2016-2017 school year, all pre-service teacher education programs, including MAT degree programs, must require all candidates seeking licensure at the middle or secondary level to complete a 6-semester credit sequence in literacy that includes a course in the foundations of literacy and a course in content-area reading. All middle and secondary teacher preparation programs are to be approved by the Read to Succeed Office to ensure that all teacher candidates possess the necessary knowledge and skills to assist effectively all adolescents in becoming proficient readers.

(C) (1) To ensure that practicing professionals possess the knowledge and skills necessary to assist all children and adolescents in becoming proficient readers, multiple pathways are needed for developing this capacity.

(2) A reading/literacy coach employed in schools will serve as job-embedded, stable resources for professional development through a school to foster improving in reading instruction and student reading achievement. Reading coaches will support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach will:

(a) model effective instructional strategies for teachers;

(b) facilitate study groups;

(c) train teachers in data analysis and using data to differentiated instruction;

(d) coaching and mentoring colleagues;

(e) work with teachers to ensure that research-based reading programs are implemented with fidelity; and

(f) help lead and support reading leadership teams.

The reading coach must not be assigned a regular classroom teaching assignment, must not perform administrative functions that deter from the flow of improving reading instruction and reading performance of students. Beginning in 2015-2016, reading/literacy coaches are required to earn the add-on certification within six years by taking the courses as required by the Department for the add-on.

(3) Beginning in 2015-2016, early childhood and elementary education certified classroom teachers, reading interventionists, and those special education teachers who provide learning disability and speech services to students who need to improve substantially their low reading and writing proficiency skills are required to earn the literacy teacher add-on endorsement within ten years of their most recent certification by taking at least two courses or six credit hours every five years, consistent with existing recertification requirements. The courses leading to the endorsement must be approved by the State Board of Education and must include classes in foundations, assessment, content area reading and writing, instructional strategies, and an embedded or stand-along practicum. Whenever possible these courses will be offered at a professional development rate which is lower than the certified teacher rate. Early childhood and elementary education certified classroom teachers, reading specialists, psychologists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their reading and writing proficiency and who already possess their add-on Reading Teacher licensure can take a content area reading course to obtain their Literacy Teacher add-on endorsement. Teachers who have earned a master’s or doctorate in reading, who have earned a literacy teacher add-on endorsement, or who have completed an intensive, prolonged professional development program like Reading Recovery or another program approved by the State Board of Education in regulation are exempt from this requirement.

(4) Beginning in 2015-2016, middle and secondary licensed classroom teachers are required to take at least two courses or six credit hours to improve reading instruction within five years of their most recent certification. The courses must be approved by the State Board of Education and include courses leading to the literacy teacher add-on endorsement. Coursework in reading must include a course in reading in the content areas. Whenever possible these courses will be offered at a professional development rate which is lower than the certified teacher rate. Only certified teachers who have earned a master’s or doctorate in reading, who have earned a literacy teacher add-on endorsement, or who have completed an intensive, prolonged professional development program like Reading Recovery or another program as approved by the State Board of Education in regulation are exempt from this requirement.

(5) Beginning in 2015-2016, principals and administrators who are responsible for reading instruction or intervention in a school district or school are required to take at least one course or three credit hours within five years of their most recent certification. The course or professional development shall include information about reading process, instruction, assessment or content area literacy and shall be approved by the Read to Succeed Office.

Section 59‑155‑190. Local school districts are encouraged to create family‑school‑community partnerships that focus on increasing the volume of reading, in school and at home, during the year and at home and in the community over the summer. Schools and districts should partner with county libraries, local arts organizations, faith‑based institutions, pediatric and family practice medical personnel, businesses, and other groups to provide volunteers, mentors, or tutors to assist with the provision of instructional supports, services, and books that enhance reading development and proficiency. A district shall include specific actions taken to accomplish the requirements of this section in its reading proficiency plan.

Section 59‑155‑200. The Read to Succeed Office and each school district must plan for and act decisively to engage the families of students as full participating partners in promoting the reading and writing habits and skills development of their children. With support from the Read to Succeed Office, districts and individual schools shall provide families with information about how children progress as readers and writers and how they can support this progress. This family support must include providing time for their child to read as well as reading to the child. To ensure that all families have access to a considerable number and diverse range of books, schools should develop plans for enhancing home libraries and for accessing books from county libraries and school libraries and to inform families about their child’s ability to comprehend grade-level texts and how to interpret information about reading that is sent home. The districts and schools shall help families learn about reading and writing through home visits, open houses, South Carolina ETV, video and audio tapes, websites, and school‑family events and collaborations that help link the home and school of the student. The information should enable family members to understand the reading and writing skills required for graduation and essential for success in a career.

Section 59‑155‑210. The board and department shall translate the statutory requirements for reading and writing specified in this act into standards, practices, and procedures for school districts, boards, and their employees and for other organizations as appropriate. In this effort they will solicit the advice of education stakeholders who have a deep understanding of reading as well as school boards, administrators, and others who play key roles in facilitating support for and implementation of effective reading instruction.”

SECTION 2. This act takes effect upon approval by the Governor and is subject to the availability of state funding. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

Senator MALLOY spoke on the amendment.

**Point of Quorum**

At 2:47 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Rankin Reese

Scott Setzler Thurmond

Turner Young

A quorum being present, the Senate resumed.

Senator MALLOY resumed speaking.

**Objection**

Senator COURSON asked unanimous consent to make a motion that when the Senate adjourns today, and with Senator MALLOY retaining the floor on S. 516, it will meet tomorrow at 10:00 A.M., recess for the Joint Assembly at 11:50 A.M., and at the conclusion of the Joint Assembly, the Senate will recede until 2:00 P.M.

Senator SHANE MARTIN objected.

**Expression of Personal Interest**

With unanimous consent, Senator COURSON rose for an Expression of Personal Interest.

**Motion Adopted**

Senator COURSON moved that when the Senate stands adjourned today, it stand adjourned to meet tomorrow at 10:00 A.M.

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

**Ayes 32; Nays 5**

**AYES**

Alexander Allen Bennett

Bryant Campbell Cleary

Courson Cromer Davis

Fair Gregory Hayes

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews McGill Nicholson

Peeler Rankin Reese

Scott Setzler Thurmond

Turner Young

**Total--32**

**NAYS**

Campsen Coleman Corbin

*Martin, Shane* McElveen

**Total--5**

The Senate agreed to convene at 10:00 A.M. tomorrow.

Senator MALLOY resumed speaking on the amendment.

**Objection**

Senator COURSON asked unanimous consent to make a motion that when the Senate adjourns today, it stand adjourned with Senator MALLOY retaining the floor on S. 516.

Senator SHANE MARTIN objected.

**Objection**

Senator COURSON asked unanimous consent to make a motion that when the Senate recedes for the Joint Assembly at 11:50 A.M. tomorrow that, at the conclusion of the Joint Assembly, the Senate will recede until 2:00 P.M.

Senator SHANE MARTIN objected.

**Motion Adopted**

Senator MALLOY asked unanimous consent to make a motion that the Senate stand adjourned with Senator MALLOY retaining the floor on S. 516.

There was no objection.

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Alice C. Phillips of Greenwood, S.C. Ms. Phillips was a member of Alpha Kappa Alpha Sorority. She graduated from Leadership Greenwood Piedmont Technical College and then went on to work at the college for 34 years. Alice loved to travel and had a strong commitment to her family, education, the community and church. Alice was a loving mother and doting grandmother.

and

**MOTION ADOPTED**

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Wade S. (Chip) Weatherford III of Gaffney, S.C. Chip

was a graduate of Wofford College and the University of South Carolina School of Law. He was a practicing attorney in Gaffney and Municipal Court Judge for the City of Gaffney. Chip was a certified Circuit Court mediator, a U.S. Marines veteran and a member of the Elks Lodge. He loved gardening, bird feeding, and cooking. Chip was a loving husband, beloved father and doting grandfather.

**ADJOURNMENT**

At 3:13 P.M., on motion of Senator MALLOY, with Senator MALLOY retaining the floor, the Senate adjourned to meet tomorrow at 10:00 A.M.

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