**Wednesday, April 16, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Hosea declares:

“The ways of the Lord are right; the righteous walk in them, but the rebellious stumble in them.” (Hosea 14:9b)

Bow with me, if you will:

Dear God, we ask You to lead all who serve You in this place in the ways You would have them to go. It is ever a challenge for most of us: striving to do what we know to be right, but beset by calls from all around us to do something else, perhaps to head in a direction contrary to that we know in our heart and mind to be best. We pray today, Lord, that these Senators will discern Your ways rightly and that they will individually and collectively labor faithfully for the good of our people and our State. Guide them all as they strive to do “the right thing.” In Your name we pray, Lord. Amen.

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

**Point of Quorum**

At 2:15 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Bennett Bright

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hutto Jackson Kimpson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Scott

Shealy Turner Williams

Young

A quorum being present, the Senate resumed.

**Leave of Absence**

On motion of Senator PEELER, at 2:05 P.M., Senator RANKIN was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator JOHNSON, at 2:05 P.M., Senator McELVEEN was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator GROOMS, at 3:30 P.M., Senator VERDIN was granted a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator NICHOLSON, at 3:50 P.M., Senator REESE was granted a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator MASSEY, at 5:20 P.M., Senator SHEALY was granted a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator LOURIE, at 5:20 P.M., Senator SHEHEEN was granted a leave of absence for the balance of the day.

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 1094 Sen. Courson

S. 1089 Sen. Grooms

S. 1086 Sen. Sheheen

S. 1163 Sen. Alexander

S. 1145 Sen. Courson

**Motion Adopted**

On motion of Senator COURSON, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1229 -- Senator Hayes: A BILL TO AMEND SECTION 2-77-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "ELIGIBLE INSTITUTION" AS IT PERTAINS TO THE SOUTH CAROLINA HIGHER EDUCATION EXCELLENCE ENHANCEMENT PROGRAM, SO AS TO INCLUDE AN INSTITUTION THAT OFFERS AT LEAST ONE NONSECTARIAN PROGRAM AT THE BACCALAUREATE LEVEL, AND TO INCLUDE AN INSTITUTION ACCREDITED BY AN ORGANIZATION THAT IS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION AND ALSO RECEIVES TITLE III FUNDING.

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

S. 1230 -- Senators Bennett, Campbell and Hembree: A BILL TO AMEND CHAPTER 2, TITLE 61, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO GENERAL PROVISIONS CONCERNING ALCOHOL AND ALCOHOLIC BEVERAGES, SO AS TO DELETE THE REQUIREMENT THAT AN APPLICANT FOR AN ALCOHOLIC BEVERAGE LICENSE OR PERMIT MUST BE A LEGAL RESIDENT OF THE STATE FOR THIRTY DAYS PRIOR TO APPLYING, AND TO AMEND ARTICLE 17, CHAPTER 4, TITLE 61 OF THE 1976 CODE, RELATING TO BREWPUBS, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PRODUCTS PRODUCED BY BREWPUB PERMITTEES, TO DEFINE A PERMITTEE WHO MAY HOLD SUCH PERMIT, TO ALLOW FOR CONSUMPTION ONLY ON THE PERMITTED PREMISES WHERE THE BEER IS PRODUCED, TO ALLOW FOR THE PRODUCTION ON THE PERMITTED PREMISES OF A MAXIMUM OF FIVE HUNDRED THOUSAND BARRELS OF BEER FOR SALE PER YEAR, AND TO ALLOW BREWPUB PERMITTEES TO SELL BEER TO LICENSED WHOLESALERS IN SOUTH CAROLINA AND NONRESIDENT WHOLESALERS AND EXPORTERS.

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

S. 1231 -- Senator Shealy: A CONCURRENT RESOLUTION TO EXPRESS THE SOUTH CAROLINA GENERAL ASSEMBLY'S AND THE STATE OF SOUTH CAROLINA'S SUPPORT FOR ORGAN, EYE, AND TISSUE DONATION AND TO DESIGNATE THE MONTH OF APRIL 2014 AS "ORGAN DONOR REGISTRATION MONTH" IN SOUTH CAROLINA.

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

S. 1232 -- Senators Matthews and Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF SOUTH CAROLINA HIGHWAYS 6 AND 45 IN ORANGEBURG COUNTY "CORPORAL WILLIAM HOWELL, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "CORPORAL WILLIAM HOWELL, JR. INTERSECTION".

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

S. 1233 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO ANNUITY MORTALITY TABLES FOR USE IN DETERMINING RESERVE LIABILITIES FOR ANNUITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4453, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1234 -- Senator Matthews: A SENATE RESOLUTION TO CONGRATULATE NEW PERSPECTIVES MEDIA ASSOCIATION OF ORANGEBURG COUNTY ON THE OFFICIAL OPENING OF ITS NEW RADIO STATION, LOCATED AT 93.7 ON THE FM BAND, AND TO COMMEND THE ORGANIZATION FOR ITS SERVICE TO THE COMMUNITY.

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The Senate Resolution was adopted.

S. 1235 -- Senators Cromer, Setzler, Shealy, Massey and Courson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LANCE CORPORAL SALVATORE CIRENCIONE OF LEXINGTON ON BEING NAMED THE 2013 SOUTH CAROLINA HIGHWAY PATROL TROOPER OF THE YEAR AND TO EXPRESS DEEP GRATITUDE FOR HIS MERITORIOUS SERVICE TO THE CITIZENS OF HIS COMMUNITY.

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The Senate Resolution was adopted.

S. 1236 -- Senators Young, Setzler, Massey, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Scott, Shealy, Sheheen, Thurmond, Turner, Verdin and Williams: A SENATE RESOLUTION TO COMMEND MAYOR FRANK MIZELL OF WINDSOR FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE, TO CONGRATULATE HIM UPON HIS RETIREMENT AS MAYOR OF WINDSOR, AND TO WISH HIM MUCH SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1237 -- Senator Fair: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MANUEL AND OLIVE HOLLAND OF HILTON HEAD ISLAND FOR THEIR MANY YEARS OF DEDICATED SERVICE TO THEIR COMMUNITY THROUGH THE LIONS CLUBS INTERNATIONAL.

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The Senate Resolution was adopted.

S. 1238 -- Senators Malloy, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF JUANITA COLEMAN MCFARLAND OF HARTSVILLE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1239 -- Senator Malloy: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF REVEREND CHARLES W. MALLOY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1240 -- Senators McElveen and Johnson: A CONCURRENT RESOLUTION TO CONGRATULATE THE SUMTER TRIBE OF CHERAW INDIANS (SUMTER BAND OF CHERAW INDIANS) ON THE HIGHEST HONOR OF ITS RECOGNITION AS A TRIBE BY THE SOUTH CAROLINA COMMISSION FOR MINORITY AFFAIRS.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 988 -- Senator Cromer: A BILL TO AMEND SECTION 27‑2‑105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

Ordered for consideration tomorrow.

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

S. 1144 -- Senator Thurmond: A BILL TO AMEND ARTICLE 5, TITLE 59, CHAPTER 25 OF THE 1976 CODE, RELATING TO THE EMPLOYMENT AND DISMISSAL OF TEACHERS, BY ADDING SECTION 59‑25‑425, TO PROVIDE THAT EACH SCHOOL DISTRICT SHALL ADOPT A WRITTEN REDUCTION IN FORCE POLICY, AND TO PROVIDE FOR THE FACTORS THAT MUST BE CONSIDERED WHEN CREATING THE REDUCTION IN FORCE POLICY.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

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

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

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

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 1190 -- Senator Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE JUNCTURE OF INTERSTATE 26 AND UNITED STATES HIGHWAY 601 IN ORANGEBURG COUNTY “SCHP PATROLMAN FIRST CLASS ROY O. CAFFEY MEMORIAL INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “SCHP PATROLMAN FIRST CLASS ROY O. CAFFEY MEMORIAL INTERCHANGE”.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 1191 -- Senator Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF UNITED STATES HIGHWAY 15 AND UNITED STATES HIGHWAY 301 IN ORANGEBURG COUNTY “SCHP PATROLMAN HARRY B. RAY MEMORIAL INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “SCHP PATROLMAN HARRY B. RAY MEMORIAL INTERSECTION”.

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out S. 1193 favorable:

S. 1193 -- Senators Fair, Hutto and Jackson: A SENATE RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE TUESDAY, APRIL 29, 2014, AS “CHILDREN’S ADVOCACY DAY” IN SOUTH CAROLINA.

**Poll of the Invitations Committee**

**Polled 10; Ayes 10; Nays 0; Not Voting 1**

**AYES**

Alexander McGill Reese

Verdin Campsen Cromer

Malloy Cleary Johnson

Kimpson

**Total--10**

**NAYS**

**Total--0**

**NOT VOTING**

Bryant

**Total--1**

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out S. 1203 favorable:

S. 1203 -- Senator Alexander: A SENATE RESOLUTION TO DECLARE FRIDAY, JUNE 13, 2014, AS “CATHERINE DEVOE FISHER DAY” AND TO RECOGNIZE CATHERINE “CATIE” DEVOE FISHER ON HER MANY MUSICAL ACCOMPLISHMENTS.

**Poll of the Invitations Committee**

**Polled 10; Ayes 10; Nays 0; Not Voting 1**

**AYES**

Alexander McGill Reese

Verdin Campsen Cromer

Malloy Cleary Johnson

Kimpson

**Total--10**

**NAYS**

**Total--0**

**NOT VOTING**

Bryant

**Total--1**

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4053 -- Rep. Sellers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF UNITED STATES HIGHWAYS 321 AND 78 IN THE TOWN OF DENMARK “HARRISON CROSSROADS”, AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “HARRISON CROSSROADS”.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4397 -- Rep. Bowen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAYS 187 AND 24 IN ANDERSON COUNTY “PORTMAN SHOALS INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “PORTMAN SHOALS INTERSECTION”.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4537 -- Rep. Hardee: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF HIGHWAY S‑26‑19 AND HIGHWAY S‑26‑139 IN HORRY COUNTY “DORMANS CROSSROADS” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THE WORDS “DORMANS CROSSROADS”.

Ordered for consideration tomorrow.

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

H. 4646 -- Reps. Bingham, Allison, Anthony and Hayes: A BILL TO AMEND SECTION 59‑48‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EX OFFICIO MEMBERS OF THE BOARD OF TRUSTEES OF THE GOVERNORS SCHOOL FOR SCIENCE AND MATHEMATICS, SO AS TO PROVIDE A PROVOST OR VICE PRESIDENT OF ACADEMIC AFFAIRS WHO MUST SERVE AS AN EX OFFICIO MEMBER MAY DESIGNATE A PERSON TO SERVE IN HIS PLACE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4802 -- Reps. Burns, Loftis, G.R. Smith and Willis: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT INDIVIDUAL SIGNS AT TWO MILE INTERVALS ALONG INTERSTATE HIGHWAY 385 FROM MILE MARKER 22 TO MILE MARKER 34 THAT CONTAIN THE WORDS “WORLD WAR I 1917‑1918”, “WORLD WAR II 1941‑1945”, “THE KOREAN WAR 1950‑1953”, “THE VIETNAM WAR 1956‑1975”, “SECOND PERSIAN GULF WAR ‘OPERATION DESERT STORM’ 1991”, “AFGHANISTAN WAR OCTOBER 7, 2001 TO PRESENT”, AND “THIRD PERSIAN GULF WAR MARCH 19, 2003 TO PRESENT”.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4851 -- Reps. Gilliard, Whipper, Limehouse, Merrill, Crosby, Mack, Goldfinch, Horne, McCoy, Rivers and Sottile: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF MALL DRIVE AND LACROSS ROAD IN CHARLESTON COUNTY “MICHAEL ‘MICKEY’ S. WHATLEY INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THE WORDS “MICHAEL ‘MICKEY’ S. WHATLEY INTERSECTION”.

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out H. 4993 favorable:

H. 4993 -- Rep. Barfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑125 SO AS TO DESIGNATE THE THIRD SATURDAY IN SEPTEMBER AS “AYNOR HARVEST HOE‑DOWN FESTIVAL WEEKEND”.

**Poll of the Invitations Committee**

**Polled 10; Ayes 10; Nays 0; Not Voting 1**

**AYES**

Alexander McGill Reese

Verdin Campsen Cromer

Malloy Cleary Johnson

Kimpson

**Total--10**

**NAYS**

**Total--0**

**NOT VOTING**

Bryant

**Total--1**

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4997 -- Reps. Herbkersman, Bowers, Owens, Simrill, Branham, G.M. Smith, Burns, Alexander, Hiott, Whipper, Douglas, Allison, Limehouse, Lowe, George, Bales, R.L. Brown, Gagnon, Hayes, Hodges, Hosey, W.J. McLeod, Murphy, Sabb, Sandifer and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑15‑415 SO AS TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE ISSUED AFTER JANUARY 1, 2015, MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56‑15‑430, 56‑15‑440, AND 56‑15‑450, RELATING TO THE NONAPPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS SALVAGE MOTOR VEHICLES, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THE PROVISIONS THAT REQUIRE AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE TO COMPLETE CERTAIN EDUCATION REQUIREMENTS ALSO DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

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

Ordered for consideration tomorrow.

**Appointments Reported**

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

**Statewide Appointments**

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2012, and to expire May 19, 2019

3rd Congressional District:

Kristopher D. Clark, 2310 Earls Bridge Road, Easley, SC 29640

Received as information.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2012, and to expire May 19, 2019

7th Congressional District:

Merrrell W. Floyd, 513 Merrywood Road, Conway, SC 29526 *VICE* Vacant Due to Redistricting

Received as information.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2012, and to expire May 19, 2019

At-Large:

Catherine E. Heigel, 300 Waccamaw Ave., Greenville, SC 29605 *VICE* Cecile E. Viverette

Received as information.

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2013, and to expire May 19, 2020

6th Congressional District:

John Calhoun Land IV, P.O. Box 138, Manning, SC 29102

Received as information.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence June 19, 2008, and to expire June 19, 2015

Georgetown County:

Danny Joe Ray, 735 Beach Bridge Road, Pawleys Island, SC 29585 *VICE* David Springs

Received as information.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2008, and to expire May 19, 2015

2nd Congressional District:

Jack F. Wolfe, Jr., 2012 Johnson Marina Rd., Chapin, SC 29036 *VICE* Leighton Lord

Received as information.

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

**CARRIED OVER**

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

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

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

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

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

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

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

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

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

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

S. 1189 -- Senators Gregory, Reese, McElveen, Hembree, Hutto, Lourie, Campsen, Cleary, Allen, Shealy, O’Dell, Campbell, Cromer, Hayes, Verdin, Sheheen, L. Martin and Kimpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ADD CHAPTER 39 TO TITLE 58, SO AS TO PROVIDE FOR A SOUTH CAROLINA DISTRIBUTED ENERGY RESOURCE PROGRAM, TO DEFINE CERTAIN TERMS, TO SET GOALS FOR THE PROGRAM, AND TO PROVIDE FOR THE PROCESS AND IMPLEMENTATION OF THE PROGRAM, INCLUDING THE APPLICATION AND APPROVAL PROCESS FOR THE PROGRAM AND COST RECOVERY; TO ADD CHAPTER 40 TO TITLE 58 SO AS TO PROVIDE FOR A NET ENERGY METERING PROGRAM, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR THE REQUIREMENTS FOR THE NET ENERGY METERING PROGRAM, INCLUDING COSTS AND THE RESPONSIBILITIES OF THE PUBLIC SERVICE COMMISSION AND THE OFFICE OF REGULATORY STAFF PURSUANT TO THIS PROGRAM; TO ADD ARTICLE 23 TO CHAPTER 27, TITLE 58, SO AS TO PROVIDE FOR THE LEASE OF RENEWABLE ELECTRIC GENERATION FACILITIES PROGRAM, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR THE REQUIREMENTS OF THE LEASE PROGRAM, INCLUDING AN APPLICATION PROCESS AND REGISTRATION WITH THE OFFICE OF REGULATORY STAFF AND PENALTIES FOR VIOLATIONS OF THE LEASE PROGRAM; TO REQUIRE THE OFFICE OF REGULATORY STAFF TO REPORT TO THE PUBLIC SERVICE COMMISSION ON COSTS AND CHARGES ATTRIBUTABLE TO DISTRIBUTED ENERGY RESOURCES WITHIN CURRENT COSTS OF SERVICE RATE MAKING METHODOLOGIES; TO REQUIRE THE PUBLIC SERVICE COMMISSION TO PROMULGATE STANDARDS FOR RENEWABLE ENERGY FACILITY INTERCONNECTION; TO REQUIRE EACH DISTRIBUTION ELECTRIC COOPERATIVE BOARD TO CONSIDER NET ENERGY METERING POLICIES AND MAKE A REPORT TO THE OFFICE OF REGULATORY STAFF; TO REQUIRE EACH ELECTRIC COOPERATIVE TO INVESTIGATE THE RELATIONSHIP BETWEEN COSTS AND CHARGES ATTRIBUTABLE TO DISTRIBUTED ENERGY RESOURCES WITHIN CURRENT COST OF SERVICE RATEMAKING METHODOLOGIES AND REPORT ITS FINDINGS WITH THE OFFICE OF REGULATORY STAFF.

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

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

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

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

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

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

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

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

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

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

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

**OBJECTION**

S. 247 -- Senators Corbin, Bryant, Verdin, Cleary, Hembree, Peeler, Fair, Shealy, Grooms, Campbell, Cromer and Turner: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑80 SO AS TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

Senator CORBIN explained the Bill.

Senator MATTHEWS objected to further consideration of the Bill.

**RECOMMITTED**

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

Senator COURSON asked unanimous consent to recommit the Bill to the Committee on Education.

There was no objection and the Bill was recommitted.

**HOUSE BILL RETURNED**

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

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.

**THIRD READING BILLS**

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

S. 569 -- Senators Davis, Turner, Campsen, Young, O’Dell, Cromer, Cleary, Hembree, Pinckney and Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “COMPETITIVE INSURANCE ACT” BY AMENDING SECTION 38-3-110, RELATING TO DUTIES OF THE CHIEF INSURANCE COMMISSIONER, TO PROVIDE THAT THE DIRECTOR MUST ENGAGE IN EFFORTS TO PROVIDE MARKET ASSISTANCE AND PROMOTE CONSUMER EDUCATION TO COASTAL RESIDENTIAL PROPERTY INSURANCE CONSUMERS, AND THE DIRECTOR MUST SUBMIT A REPORT TO THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE CHAIRMAN OF THE SENATE BANKING AND INSURANCE COMMITTEE, AND THE CHAIRMAN OF THE HOUSE LABOR, COMMERCE AND INDUSTRY COMMITTEE BY NO LATER THAN JANUARY THIRTY-FIRST OF EACH YEAR REGARDING THE STATUS OF THE COASTAL PROPERTY INSURANCE MARKET; TO AMEND SECTION 38-7-200, RELATING TO CREDITS AGAINST PREMIUM TAX, TO DEFINE ESSENTIAL TERMS, AND TO PROVIDE THAT INSURERS MAY BE ELIGIBLE TO RECEIVE A PREMIUM TAX CREDIT AGAINST THE PREMIUM TAX IMPOSED BY SECTION 38-7-20 ON FULL COVERAGE POLICIES WRITTEN OUTSIDE OF THE COASTAL AREA TO REDUCE THE INSURANCE PREMIUM TAX LEVIED TO ONE PERCENT OF THE TOTAL PREMIUMS WRITTEN ON FULL COVERAGE POLICIES OUTSIDE OF THE COASTAL AREA, AND THE DIRECTOR OR HIS DESIGNEE SHALL DEVELOP PROCEDURES TO BE USED IN IMPLEMENTING THIS TAX CREDIT; TO AMEND SECTION 38-75-485, RELATING TO THE IMPLEMENTATION OF THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM BY THE DEPARTMENT, TO PROVIDE THAT ONE PERCENT OF THE PREMIUM TAXES DUE TO THIS STATE BY BROKERS PLACING PROPERTY INSURANCE WITHIN THE ELIGIBLE SURPLUS LINES MARKET AND TWO PERCENT OF THE PREMIUM TAXES COLLECTED ANNUALLY AND REMITTED TO THE DEPARTMENT BY INSURERS LICENSED TO DO BUSINESS IN THIS STATE; AND TO AMEND SECTION 38-75-755, RELATING TO NOTIFICATION OF APPLICANTS OR RENEWING POLICYHOLDERS OF AVAILABLE CREDITS, DISCOUNTS, AND DEDUCTIONS, TO PROVIDE THAT ALL INSURERS, AT THE ISSUANCE OF A NEW POLICY AND AT EACH RENEWAL SHALL NOTIFY THE APPLICANT OR POLICYHOLDER OF A PERSONAL LINES RESIDENTIAL PROPERTY INSURANCE POLICY OF CERTAIN DISCLOSURES, AND THE DIRECTOR OR HIS DESIGNEE SHALL PRESCRIBE THE FORM AND MANNER FOR INSURER NOTICES OR DISCLOSURES, AND ANY DISCLOSURE SHALL BE FOR INFORMATIONAL PURPOSES ONLY AND SHALL NOT AMEND, EXTEND, OR ALTER COVERAGE PROVIDED IN A POLICY.

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

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

S. 1076 -- Senators Shealy and Hembree: A BILL TO AMEND ARTICLE 8, CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO IDENTIFICATION CARDS ISSUED TO AND FIREARM QUALIFICATION PROVIDED FOR RETIRED LAW ENFORCEMENT PERSONNEL, BY AMENDING THE SECTION 23‑31‑600(A)(2) TO PROVIDE THAT THE DEFINED TERM IS CONSISTENT WITH FEDERAL LAW, TO AMEND SECTION 23‑31‑600(E) TO REMOVE THE FEE REQUIREMENT FOR ISSUANCE OF AN IDENTIFICATION CARD PURSUANT TO THIS ARTICLE; AND TO MAKE CONFORMING AMENDMENTS.

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

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

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

**AMENDED, READ THE THIRD TIME**

**SENT TO THE HOUSE**

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

Senator SCOTT asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

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

**Motion Under Rule 26B**

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

There was no objection.

Senator SCOTT proposed the following amendment (NBD\1093C001.NBD.ZW14), which was adopted:

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

/ SECTION 1. Article 9, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24-3-975. (A) Except as authorized by the responsible official in charge of the correctional institution, it is unlawful to possess within or to introduce into or upon the grounds of any state correctional institution, county jail, municipal jail, regional detention facility, prison camp, work camp, or overnight lockup facility, any portable or nonportable telecommunication device.

(B) For purposes of this section, ‘telecommunication device’ is defined as a device, an apparatus associated with a device, or a component of a device that enables, or may be used to enable, communication with a person inside or outside of a place of incarceration. Such devices include, but are not limited to, portable two-way pagers, handheld radios, cellular telephones, Blackberry-type devices, personal digital assistants or PDA’s, laptop computers, or any components of these devices. ‘Telecommunication device’ also includes any new technology that is developed or used for similar purposes.

(C) A person who violates the provisions of this section:

(1) for a first offense, when the number of telecommunication devices seized is less than three, is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than thirty days, or both;

(2) for a second offense, regardless of the number of telecommunication devices seized, or a first offense when the number of telecommunication devices seized is more than two, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not less than six months, or both; and

(3) for a third or subsequent offense, regardless of the number of telecommunication devices seized, is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than one year, or both.

(D) Notwithstanding another provision of law, a person charged with a violation of subsection (C)(1) or (2) must be tried exclusively in magistrates court while a person charged with a violation of subsection (C)(3) must be tried exclusively in circuit court.”

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

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**AMENDED, OBJECTION TO THE BILL**

S. 661 -- Senators S. Martin, Bryant, Bright and Grooms: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, TO ENACT THE “AGENDA 21 PROTECTION ACT” BY ADDING CHAPTER 137 TO PROHIBIT THIS STATE AND ITS POLITICAL SUBDIVISIONS FROM ADOPTING AND DEVELOPING ENVIRONMENTAL AND DEVELOPMENTAL POLICIES THAT, WITHOUT DUE PROCESS, WOULD INFRINGE OR RESTRICT THE PRIVATE PROPERTY RIGHTS OF THE OWNER OF THE PROPERTY.

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

Senator SHANE MARTIN proposed the following amendment (661R001.SRM), which was adopted:

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

/ SECTION 1. Title 44 of the 1976 Code is amended by adding:

“CHAPTER 137

AGENDA 21 PROTECTION ACT

Section 44‑137‑10. (A) As used in this section, ‘political subdivision’ means any municipality, city, county, state, public body, public‑private partnership, and any other governmental body of this State.

(B) No political subdivision of this State may accept any funds from non‑governmental and inter‑governmental organizations as defined in Agenda 21, adopted by the United Nations in 1992 at its Conference on Environment and Development, accredited and enlisted by the United Nations to assist in the implementation of its policies relative to Agenda 21 around the world without posting the following on the political subdivision’s website for ten days:

(1) a full and detailed list of the funding program, including a designation that the funding program is associated with Agenda 21,

(2) the amount of funds involved,

(3) every mandate or requirement or action that will result from the grant or funding program’s implementation,

(4) any and all projected costs to the political subdivision, business, or individual associated with the grant or funding program, and

(5) the stated goals and expected results of the grant or funding program.”

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

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

The amendment was adopted.

Senator LOURIE objected to further consideration of the Bill.

**READ THE SECOND TIME**

S. 890 -- Senators Cleary and Rankin: 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.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the committee report proposed by the Committee on Agriculture and Natural Resources.

Senator CLEARY spoke on the Bill and asked unanimous consent to give the Bill a second reading today and carrying over all amendments to third reading.

There was no objection.

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

**S. 890--Recorded Vote**

Senator PEELER desired to be recorded as voting against the second reading of the Bill.

**READ THE SECOND TIME**

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.

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

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 1056 -- Senators Turner, Campbell and Reese: A BILL TO AMEND SECTION 40‑25‑60 OF THE 1976 CODE, RELATING TO THE LICENSE REQUIRED TO ENGAGE IN THE PRACTICE OF SPECIALIZING IN HEARING AIDS, TO PROVIDE THAT NO PERSON MAY ENGAGE IN THE PRACTICE OF SPECIALIZING IN HEARING AIDS OR DISPLAY A SIGN OR IN ANOTHER WAY ADVERTISE OR REPRESENT HIMSELF AS A PERSON WHO ENGAGES IN THE PRACTICE OF SPECIALIZING IN HEARING AIDS OR OFFER FOR THE SALE OF HEARING AIDS THROUGH THE MAIL, INTERNET, OR OTHER MEANS, UNLESS HE HOLDS AN UNSUSPENDED, UNREVOKED LICENSE ISSUED BY THE DEPARTMENT AND PROVIDES FOR THE DIRECT FITTING, SALE, AND DELIVERY OF THE PRODUCTS, AND TO PROVIDE THAT NOTHING IN THIS CHAPTER PROHIBITS A PERSON FROM ENGAGING IN THE BUSINESS OF SELLING OR OFFERING FOR SALE HEARING AIDS THROUGH THE MAIL, INTERNET, OR OTHER MEANS TO DISTRIBUTORS, DEALERS, OR SPECIALISTS LICENSED IN THIS STATE.

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

Senator TURNER proposed the following amendment (DKA\1056C001.DKA.HTC14), which was adopted:

Amend the bill, as and if amended, by striking Section 40-25-60, as contained in SECTION 1, beginning on page 1 and inserting:

/ “Section 40-25-60. (A) No person may engage in the practice of specializing in hearing aids or display a sign or in another way advertise or represent himself as a person who engages in the practice of specializing in hearing aids ~~after January 1, 1972~~ or offer for the sale of hearing aids through the mail, internet, or other means unless he holds an unsuspended, unrevoked license issued by the department under this chapter and provides for the direct fitting, sale, and delivery of the products. The license number must be listed in an advertisement or a representation. The license must be posted conspicuously in his office or place of business. Duplicate licenses must be issued by the department to valid license holders operating more than one office without additional payment. A license under this chapter confers upon the holder the right to perform only those hearing tests necessary to select, fit, and sell hearing aids.

(B) Nothing in this chapter prohibits a corporation, partnership, trust, association, or like organization maintaining an established business address from engaging in the business of selling or offering for sale hearing aids at retail or otherwise without a license, if it employs or contracts with only properly licensed natural persons in the direct sale and fitting of the products.

(C) Nothing in this chapter prohibits a person from engaging in the business of selling or offering for sale hearing aids through the mail, internet, or other means to distributors, dealers, or other persons engaged in the practice of specializing in hearing aids that are licensed in this State.

(D) Nothing in this chapter prohibits the sale of hearing aids through the mail, internet, or any other means if the sale is made pursuant to the direct prescribed recommendation of a person holding an unsuspended, unrevoked license issued by the department pursuant to this chapter.” /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 34; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Lourie Malloy *Martin, Larry*

Massey McGill Nicholson

O'Dell Peeler Pinckney

Scott Setzler Shealy

Sheheen Turner Williams

Young

**Total--34**

**NAYS**

Bright Corbin Davis

*Martin, Shane*

**Total--4**

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

**READ THE SECOND TIME**

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

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

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson O'Dell

Peeler Pinckney Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

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

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 (JUD1086.003), which was adopted:

Amend the bill, as and if amended, page 1, beginning on line 28, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Subsections (C) and (E) through (I) in Section 1‑11‑490 of the 1976 Code, as added by Act 190 of 2008, are amended to read:

“(C) The notification required by this section may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. The notification required by this section must be made after the law enforcement agency determines that it no longer compromises the investigation. A delay in notification shall not exceed seventy-two hours after discovery, unless the agency requests and the attorney general grants, in writing, additional delays of up to seventy-two hours each upon a determination that such notification impedes a criminal investigation.”

“(E) The notice required by this section ~~may be provided by~~:

(1) must be clear, conspicuous, and shall include all of the following:

(a) a description of the incident in general terms;

(b) a description of the type of personal identifying information that was or is reasonably believed to have been subject to the unauthorized access and acquisition;

(c) a description of the general acts of the agency to protect the personal identifying information from further unauthorized access;

(d) a telephone number for the agency that a person may call for further information and assistance;

(e) the toll‑free telephone number, addresses, and website address for the South Carolina Department of Consumer Affairs, along with the following statement: ‘For information on avoiding and defending against identity theft, you may contact the South Carolina Department of Consumer Affairs’;

(2) may be provided by:

~~(1)~~(a) written notice;

~~(2)~~(b) electronic notice, if the person’s primary method of communication with the individual is by electronic means or is consistent with the provisions regarding electronic records and signatures set forth in ~~Section 7001 of Title~~ 15 ~~USC~~ U.S.C. Section 7001 and Chapter 6, Title 26 of the 1976 Code;

~~(3)~~(c) telephonic notice; or

~~(4)~~(d) substitute notice, if the agency demonstrates that the cost of providing notice exceeds two hundred fifty thousand dollars or that the affected class of subject persons to be notified exceeds five hundred thousand or the agency has insufficient contact information. Substitute notice consists of:

~~(a)~~(i) ~~e‑mail~~ email notice when the agency has an ~~e‑mail~~ email address for the subject persons;

~~(b)~~(ii) conspicuous posting of the notice on the agency’s ~~web site~~ website page, if the agency maintains one; or

~~(c)~~(iii) notification to major statewide media.

~~(F)~~ ~~Notwithstanding subsection (E), an agency that maintains its own notification procedures as part of an information security policy for the treatment of personal identifying information and is otherwise consistent with the timing requirements of this section is considered to be in compliance with the notification requirements of this section if it notifies subject persons in accordance with its policies in the event of a breach of security of the system.~~

~~(G)~~(F) A resident of this State who is injured by a violation of this section, in addition to and cumulative of all other rights and remedies available at law, may:

(1) institute a civil action to recover damages;

(2) seek an injunction to enforce compliance; and

(3) recover attorney’s fees and court costs, if successful.

~~(H)~~(G) An agency that knowingly and wilfully violates this section is subject to an administrative fine up to one thousand dollars for each resident whose information was accessible by reason of the breach, the amount to be decided by the Department of Consumer Affairs.

~~(I)~~(H) If the agency provides notice to more than one thousand persons at one time pursuant to this section, the business shall notify, without unreasonable delay, the Consumer Protection Division of the Department of Consumer Affairs and all consumer reporting agencies that compile and maintain files on a nationwide basis, as defined in 15 ~~USC~~ U.S.C. Section 1681a(p), of the timing, distribution, and content of the notice.” /

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 Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 971 -- Senator Campbell: A BILL TO AMEND SECTION 33‑1‑103, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESIGNATION OF REPRESENTATION BY A CORPORATION OR PARTNERSHIP IN MAGISTRATES COURT, SO AS TO EXPAND THE LIST OF NONLAWYERS ASSOCIATED WITH A CORPORATION OR BUSINESS WHO MAY REPRESENT THE ENTITY IN MAGISTRATES COURT.

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 (JUD0971.002), which was adopted:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

TO REPEAL SECTION 33‑1‑103, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESIGNATION OF REPRESENTATION BY A CORPORATION OR PARTNERSHIP IN MAGISTRATES COURT, SO AS TO REPEAL THE SECTION DEALING WITH WHO MAY REPRESENT A CORPORATION OR BUSINESS IN MAGISTRATES COURT.

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

SECTION 1. Section 33‑1‑103 of the 1976 Code is repealed.

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

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 843 -- Senator Cleary: A BILL TO AMEND SECTION 59‑63‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF student HARASSMENT, INTIMIDATION, OR BULLYING in public schools, SO AS TO PROVIDE A SCHOOL EMPLOYEE OR VOLUNTEER MAY gratuitously INTERVENE ON BEHALF OF A STUDENT subjected to HARASSMENT, INTIMIDATION, OR BULLYING; AND TO AMEND SECTION 59‑63‑150, relating to certain legal immunities for a school employee or volunteer who reports an incident of student harassment, intimidation, OR bullying in compliance with district policy, so as to provide immunity from criminal or civil liability for a school employee or volunteer who in good faith gratuitously intervenes on behalf of a student subjected to harassment, intimidation, or bullying.

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

The Committee on Education proposed the following amendment (AGM\843C003.AGM.AB14), which was adopted:

Amend the bill, as and if amended, Section 59‑63‑130(C), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (C) A school employee or volunteer may intervene on behalf of a student being subjected to harassment, intimidation, or bullying, including intervening in a physical altercation, but only to the extent reasonable and necessary, to prevent or ease the harassment, intimidation, or bullying. /

Amend the bill further, Section 59‑63‑150(A), as contained in SECTION 2, page 2, lines 12‑13, by striking / ~~This section does not create or alter tort liability.~~ /.

Amend the bill further, Section 59‑63‑150(C), as contained in SECTION 2, by deleting the subsection in its entirety and inserting:

/ (C)(1) A school employee or volunteer who reasonably and necessarily intervenes on behalf of a student being subjected to harassment, intimidation, or bullying, including a physical altercation, related to the harassment, intimidation, or bullying, may not be subject to criminal prosecution or liable for any civil damages except for acts amounting to grossly negligent, wilful, or wanton misconduct.

(2) The employer of a person who reasonably and necessarily intervenes on behalf of a student being subjected to harassment, intimidation, or bullying, including a physical altercation, related to the harassment, intimidation, or bullying, may not restrict, transfer, suspend, terminate, or otherwise hinder the employment of the individual because of this intervention.” /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 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.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Fish, Game and Forestry.

The Committee on Fish, Game and Forestry proposed the following amendment (1177R001.GEC), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 10 and inserting:

/ (C) The /

Amend the bill further, as and if amended, page 3, by striking lines 14‑22 and inserting:

/ (22) launching or landing parachutes or parasails or aircraft including models or remotely piloted aircraft and similar devices, except for law enforcement or emergencies;

(23) placing temporary or permanent structures ~~in the WMA~~ on these lands and areas, except permitted stands and blinds;

(24) obstructing or creating a hazard to land or water traffic or obstructing a watercourse;

(25) operating a motor vehicle in or across watercourses other than at designated fording sites; /

Amend the bill further, as and if amended, page 4, line 32 by inserting an appropriately numbered new SECTION to read:

/ SECTION \_\_\_. Section 50‑13‑2011 of the 1976 Code is repealed./

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 38; Nays 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Scott Setzler

Shealy Sheheen Turner

Williams Young

**Total--38**

**NAYS**

Bright

**Total--1**

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

**AMENDED, READ THE SECOND TIME**

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.

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

Senators PEELER and HAYES proposed the following amendment (JUD1180.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 1, of Section 7‑7‑530(A), as contained in SECTION 1.

Amend the bill further, as and if amended, page 3, by striking lines 22 and 23, in Section 7-7-530(A), as contained in SECTION 1, and inserting therein the following:

/ Rock Hill No. 8

Roosevelt

Rosewood /

Amend the bill further, as and if amended, page 4, line 10, by striking SECTION 2 in its entirety and inserting therein the following:

/ SECTION 2. This act takes effect July 1, 2014. /

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Scott

Setzler Shealy Sheheen

Turner Williams Young

**Total--39**

**NAYS**

**Total--0**

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

**Point of Order**

H. 4561 -- Reps. Hixon, King, Hodges, Simrill, Huggins, Ballentine, Brannon, Hiott, Hardwick, Bales, Knight, Clyburn, Southard, Tallon, Skelton, Erickson, Sottile, Limehouse, Stavrinakis, McCoy, Parks, Crosby, Anthony, Mitchell, Bowen, H.A. Crawford, Robinson‑Simpson, Toole, Kennedy, Patrick, Bowers, Atwater, Bedingfield, Williams, M.S. McLeod, G.R. Smith, George, Putnam, Allison, Burns, Chumley, Clemmons, Cobb‑Hunter, Daning, Delleney, Dillard, Edge, Felder, Forrester, Funderburk, Gagnon, Hamilton, Hardee, Hart, Hayes, Henderson, Horne, Hosey, Jefferson, Loftis, Long, Lowe, Lucas, W.J. McLeod, V.S. Moss, Murphy, Newton, Norman, Owens, Pitts, Pope, Ridgeway, Riley, Rutherford, Sabb, Sandifer, J.R. Smith, Taylor, Thayer, Wells, White, Whitmire, Willis, Wood and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 20 TO TITLE 50 SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES TO ENTER INTO THE INTERSTATE BOATING VIOLATOR COMPACT.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

H. 4578 -- Reps. Sandifer, Toole, Rivers, Erickson and Long: A BILL TO AMEND SECTION 23‑43‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE SOUTH CAROLINA MODULAR BUILDINGS CONSTRUCTION ACT, SO AS TO REVISE THE DEFINITION OF THE TERM “APPROVED INSPECTION AGENCY” TO REQUIRE THAT AN APPROVED INSPECTION AGENCY RETAIN A BUILDING CONSTRUCTION‑ORIENTED ENGINEER OR ARCHITECT TO ENSURE COMPLIANCE; AND TO AMEND SECTION 23‑43‑90, RELATING TO INSPECTION AND CERTIFICATION OF A MODULAR BUILDING, SO AS TO PROVIDE THAT FINAL PLAN APPROVAL FOR A SINGLE FAMILY RESIDENTIAL MODULAR BUILDING BE PERFORMED BY AN APPROVED INSPECTION AGENCY, AND TO PROVIDE THAT FINAL APPROVAL FOR A COMMERCIAL MODULAR BUILDING BE PERFORMED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

H. 4643 -- Rep. Sandifer: A BILL TO REPEAL SECTION 40‑11‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTION 40‑67‑50 BOTH RELATING TO CERTAIN PROFESSIONAL LICENSING FEES.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4410, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 4316, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4426, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO ESTABLISH AND AMEND SCHEDULES OF FEES FOR CERTAIN PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4437, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1226 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO OFFICE OF STATE FIRE MARSHAL, DESIGNATED AS REGULATION DOCUMENT NUMBER 4445, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO ENFORCEMENT OF VIOLATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4446, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

The PRESIDENT sustained the Point of Order.

**ADOPTED**

S. 1192 -- Senator Allen: A CONCURRENT RESOLUTION TO DECLARE APRIL 2014 AS “SARCOIDOSIS AWARENESS MONTH” IN SOUTH CAROLINA AND TO ENCOURAGE THE CITIZENS OF THE PALMETTO STATE TO LEARN MORE ABOUT THIS DISEASE AND SHOW SUPPORT FOR ITS VICTIMS.

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

S. 1212 -- Senator Young: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD FULL WEEK IN APRIL 2014 AS “SHAKEN BABY SYNDROME AWARENESS WEEK” TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

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

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

**MOTION ADOPTED**

At 4:21 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator YOUNG rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

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

**CARRIED OVER**

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

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

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

**AMENDED, READ THE SECOND TIME**

H. 3198 -- Reps. J.E. Smith, M.S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑27‑115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7‑27‑110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7‑27‑260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7‑27‑415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7‑27‑430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed Amendment No. 2.

**Amendment No. 2**

Senator JACKSON proposed the following amendment (3198R002 DJ), which was withdrawn:

Amend the bill, as and if amended, page 3, by striking Section 7‑5‑10(B)(6) and inserting:

/ (6) The County Administrator must hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board. A member of the board must not be hired or serve as a member of the staff while serving as a board member. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

On motion of Senator JACKSON, with unanimous consent, the amendment was withdrawn.

**Amendment No. 3**

Senator PEELER proposed the following amendment (JUD3198.001), which was adopted:

Amend the bill, as and if amended, by striking SECTION 8 on line 7, page 6 and inserting:

/ SECTION 8. For counties in which the previous offices of county election commissions and voter registration boards were not combined prior to the effective date of this act, the members of both the boards shall continue serving, in a combined capacity, until the Governor makes the combined board initial appointments pursuant to Section 7-5-10(B)(1). For counties in which the previous boards were separate and neither board had a director prior to the effective date of this act, the chairman of the former board of voter registration shall serve as the director of the board acting in a combined capacity and the chairman of the former county election commission shall serve as the chairman of the board acting in a combined capacityuntil such time as the Governor has made all the appointments to constitute the initial combined board pursuant to Section 7-5-10(B)(1). Once the combined board has been fully constituted, the board may elect from among its members a chairman and such officers as it considers desirable, and must also hire a director, pursuant to the provisions of Section 7-5-10(B)(5) and (6).

SECTION 9. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

**Amendment No. 4A**

Senators LARRY MARTIN, SCOTT and CAMPSEN proposed the following amendment (JUD3198.003), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION after SECTION 7 and inserting:

/ SECTION \_\_. Section 7-11-30 of the 1976 Code of Laws is amended to read:

“Section 7‑11‑30. (A) A party may choose to change from nomination of candidates by primary to a method to nominate candidates by convention for all offices including, but not limited to, Governor, Lieutenant Governor, United States Senator, United States House of Representatives, Circuit Solicitor, State Senator, and members of the State House of Representatives if:

(1) there is a three‑fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.

(B) A party may not choose to nominate by party convention for an election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.

(D) Nothing in this section requires a political party that has nominated candidates by convention in the previous election cycle to hold a primary in order to continue using the convention method to nominate candidates. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

The amendment was adopted.

**Amendment No. 5**

Senator CAMPSEN proposed the following amendment (JUD3198.002), which was adopted:

Amend the bill, as and if amended, page 2 by striking lines 26-33 and inserting:

/ “Section 7-5-10. (A)(1) ~~Between the first day of January and the fifteenth day of March in each even-numbered year the~~ The Governor shall appoint, ~~by and with the advice and consent of the Senate~~ upon the recommendation of the legislative delegation of the counties, ~~not less than three nor more than five~~ competent and discreet persons in each county, who are qualified electors of that county and who must be known as the ‘Board of Voter Registration and Elections of \_\_\_\_\_\_\_\_\_ County’. The total number of members on the board must be not less than five nor more than nine persons. At least one /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

**Amendment No. 6**

Senators LARRY MARTIN and CAMPSEN proposed the following amendment (JUD3198.004), which was adopted:

Amend the bill, as and if amended, by adding an appropriate SECTION after SECTION 7 and inserting:

/ SECTION \_\_\_. The provisions of this act are severable. If any section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, items, subitems, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

The amendment was adopted.

**Amendment No. 8**

Senators LARRY MARTIN and CAMPSEN proposed the following amendment (3198R003.LAM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_\_. (A) The General Assembly finds that pursuant to Section 14 of Act 61 of 2013, the act was to take effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia. The General Assembly further finds that the U.S. Supreme Court’s decision in *Shelby County v. Holder* suspended the state’s requirement to obtain preclearance or a declaratory judgment under the provisions of the Voting Rights Act, which effectively removed the contingency upon which Act 61 was to take effect. As a result, the act does not contain a specific date to which it was to take effect.

(B) The General Assembly finds and declares that Act 61, which was approved on June 13, 2013, took effect on July 3, 2013, pursuant to the provisions of Section 2‑7‑10. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

The amendment was adopted.

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

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

**Ayes 36; Nays 1**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Scott Setzler Shealy

Turner Williams Young

**Total--36**

**NAYS**

*Martin, Shane*

**Total--1**

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

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

**DEBATE INTERRUPTED**

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

Senator HAYES spoke on the Bill.

Debate was interrupted by adjournment.

**EXECUTIVE SESSION**

On motion of Senator COURSON, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Education Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2014, and to expire April 1, 2019

At-Large:

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

On motion of Senator COURSON the question was confirmation of Thomas R. Love.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Mr. Thomas R. Love was confirmed.

Having received a favorable report from the Education Committee, the following appointment was taken up for immediate consideration:

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

On motion of Senator COURSON, the question was confirmation of Mr. Thomas R. Love.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Mr. Thomas R. Love was confirmed.

Having received a favorable report from the Education Committee, the following appointment was taken up for immediate consideration:

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* Mr. Wayne Moseley

On motion of Senator COURSON, the question was confirmation of Daniel B. Shonka.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Daniel B. Shonka was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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. Barczak, 2965 North Main St., Columbia, SC 29201 *VICE* Joel W. Norwood

On motion of Senator ALEXANDER, the question was confirmation of Christopher E. Barczak.

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

**Ayes 34; Nays 0; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Corbin Courson Cromer

Davis Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Pinckney Scott

Setzler Turner Williams

Young

**Total--34**

**NAYS**

**Total--0**

**ABSTAIN**

Bright

**Total--1**

The appointment of Mr. Christopher E. Barczak was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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

On motion of Senator ALEXANDER, the question was confirmation of Charles E. Gardner.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Charles E. Gardner was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

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

5th Congressional District:

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

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Martha W. Brock.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Ms. Martha W. Brock was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

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

7th Congressional District:

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

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Harold Jean Brown.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Ms. Harold Jean Brown was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

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

3rd Congressional District:

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

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Ashley P. Case.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Ms. Ashley P. Case was confirmed.

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was taken up for immediate consideration:

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

Veterinary Technicians:

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

On motion of Senator GROOMS, the question was confirmation of Mr. William Marshall Liger III.

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

**Ayes 34; Nays 0; Abstain 1**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Pinckney Scott

Setzler Turner Williams

Young

**Total--34**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto

**Total--1**

The appointment of Mr. William Marshall Liger III was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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

6th Congressional District:

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

On motion of Senator ALEXANDER, the question was confirmation of Mr. Curtis B. Carter.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Mr. Curtis B. Carter was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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

6th Congressional District:

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

On motion of Senator ALEXANDER, the question was confirmation of Mr. Curtis B. Carter.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Mr. Curtis B. Carter was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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

Consulting:

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

On motion of Senator ALEXANDER, the question was confirmation of Ms Edna Cox Rice.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Ms. Edna Cox Rice was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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

General Public:

Rex L. Casterline, 220 Executive Center Dr., Columbia, SC 29210 *VICE* Rhonwen L. Newton

On motion of Senator ALEXANDER, the question was confirmation of Mr. Rex L. Casterline.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Mr. Rex L. Casterline was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

Reappointment, South Carolina Workers’ Compensation Commission, with the term to commence June 30, 2014, and to expire June 30, 2020

At-Large:

Aisha K. Taylor, 156 Seaton Ridge Dr., Blythewood, SC 29016

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Aisha K. Taylor.

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

**Ayes 26; Nays 0; Abstain 9**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Grooms Hembree

Jackson Johnson Leatherman

Lourie *Martin, Larry Martin, Shane*

Matthews McGill Nicholson

Peeler Pinckney Scott

Turner Williams

**Total--26**

**NAYS**

**Total--0**

**ABSTAIN**

Davis Hayes Hutto

Kimpson Malloy Massey

McElveen Setzler Young

**Total--9**

The appointment of Ms. Aisha K. Taylor was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

Reappointment, South Carolina Workers’ Compensation Commission, with the term to commence June 30, 2014, and to expire June 30, 2020

At-Large:

Avery Bland Wilkerson, Jr., 329 Tamwood Circle, Cayce, SC 29033

On motion of Senator LARRY MARTIN, the question was confirmation of Mr. Avery B. Wilkerson.

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

**Ayes 26; Nays 0; Abstain 9**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Grooms Hembree

Jackson Johnson Leatherman

Lourie *Martin, Larry Martin, Shane*

Matthews McGill Nicholson

Peeler Pinckney Scott

Turner Williams

**Total--26**

**NAYS**

**Total--0**

**ABSTAIN**

Davis Hayes Hutto

Kimpson Malloy Massey

McElveen Setzler Young

**Total--9**

The appointment of Mr. Avery B. Wilkerson was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina Workers’ Compensation Commission, with the term to commence June 30, 2014, and to expire June 30, 2016

Chairman:

T. Scott Beck, 1022 Indian Fork Rd., Chapin, SC 29036 *VICE* Andrea Roche

On motion of Senator LARRY MARTIN, the question was confirmation of Mr.T. Scott Beck.

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

**Ayes 26; Nays 0; Abstain 9**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Grooms Hembree

Jackson Johnson Leatherman

Lourie *Martin, Larry Martin, Shane*

Matthews McGill Nicholson

Peeler Pinckney Scott

Turner Williams

**Total--26**

**NAYS**

**Total--0**

**ABSTAIN**

Davis Hayes Hutto

Kimpson Malloy Massey

McElveen Setzler Young

**Total--9**

The appointment of Mr. T. Scott Beck was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

Reappointment, South Carolina Workers’ Compensation Commission, with the term to commence June 30, 2014, and to expire June 30, 2020

At-Large:

T. Scott Beck, 1022 Indian Fork Rd., Chapin, SC 29036

On motion of Senator LARRY MARTIN, the question was confirmation of Mr. T. Scott Beck.

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

**Ayes 26; Nays 0; Abstain 9**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Grooms Hembree

Jackson Johnson Leatherman

Lourie *Martin, Larry Martin, Shane*

Matthews McGill Nicholson

Peeler Pinckney Scott

Turner Williams

**Total--26**

**NAYS**

**Total--0**

**ABSTAIN**

Davis Hayes Hutto

Kimpson Malloy Massey

McElveen Setzler Young

**Total--9**

The appointment of Mr. T. Scott Beck was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2013, and to expire June 30, 2017

2nd Congressional District:

Margaret Jo B. Hecker, 409 Longtown Rd. West, Blythewood, SC 29016

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Margaret Jo B. Hecker.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Ms. Margaret Jo B. Hecker was confirmed.

Having received a favorable report from the Education Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2011, and to expire July 1, 2014

South Carolina Association of Public School Administrators:

Betty T. Bagley, 104 McPhail Farms Circle, Anderson, SC 29621 *VICE* Thomas Siler

On motion of Senator COURSON, the question was confirmation of Ms. Betty T. Bagley.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Ms. Betty T. Bagley was confirmed.

Having received a favorable report from the Education Committee, the following appointment was taken up for immediate consideration:

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2014, and to expire July 1, 2017

South Carolina Association of Public School Administrators:

Betty T. Bagley, 104 McPhail Farms Circle, Anderson, SC 29621

On motion of Senator COURSON, the question was confirmation of Ms. Betty T. Bagley.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Ms. Betty T. Bagley was confirmed.

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was taken up for immediate consideration:

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

5th Congressional District:

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

On motion of Senator VERDIN, the question was confirmation of Ms. Gretchen L. Bolin.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Ms. Gretchen L. Bolin was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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

4th Congressional District:

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

On motion of Senator ALEXANDER, the question was confirmation of Mr. Stephen H. Mudge.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Mr. Stephen H. Mudge was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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

4th Congressional District:

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

On motion of Senator ALEXANDER, the question was confirmation of Mr. Stephen H. Mudge.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Pinckney

Scott Setzler Turner

Williams Young

**Total--35**

**NAYS**

**Total--0**

The appointment of Mr. Stephen H. Mudge was confirmed.

**Motion Adopted**

On motion of Senator COURSON, with Senator HAYES retaining the floor on S. 1145, the Senate agreed to stand adjourned under the provisions of Rule 1B.

**MOTION ADOPTED**

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Rev. Charles W. Malloy. Rev. Malloy worked tirelessly as the founding Executive Director of the Community Development Corporation of Marlboro County to improve the quality of life for the poor in his area. He was a board member of the South Carolina Association of Community Development and served as past chairman of the Public Policy Committee as well as various other committees. Rev. Malloy was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James W. Jeffcoat of Gaston, S.C. Mr. Jeffcoat was a Veteran of WWII as a Tech. Sgt. Mechanic and participated in the first Honor Flight in 2008. He was a member of First Baptist Church of Gaston where he was head usher and member of the Senior Men Sunday School class. Mr. Jeffcoat was a self-employed contractor and enjoyed beekeeping and spending time with his family. He was a loving husband to his predeceased wife, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 5:39 P.M., on motion of Senator PEELER, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

**Recorded Vote**

Senators BRIGHT, SHANE MARTIN, CROMER and CORBIN desired to be recorded as voting against the motion to adjourn.

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