**Wednesday, June 4, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT *Pro Tempore*.

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

In the book of Proverbs “Wisdom” declares:

“ ‘Now then... listen to me; blessed are those who keep my ways.’ ”

(Proverbs 8:32)

Let us pray:

Holy God, we give you thanks this day for all that this Body has accomplished since January, for the good that has been achieved. Even though many issues still need to be addressed eventually, we are nonetheless grateful for the collective wisdom and the diligent effort that has been demonstrated by these Senators and by their aides. Wisdom in and of itself brings joy and leads to good results, as we know. But even more importantly, dear God, wisdom is what You expect from all who serve You here in this Senate. So bless these servants; enable them to reflect in positive ways upon the things they have gotten done; and encourage them as they tackle tasks which remain -- this year and through the years ahead. We pray this in Your wondrous name, O Lord. Amen.

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

**RECESS**

At 1:07 P.M., on motion of Senator LARRY MARTIN, the Senate receded from business until 2:00 P.M.

At 2:10 P.M., the Senate resumed.

**ACTING PRESIDENT PRESIDES**

Senator LARRY MARTIN assumed the Chair.

**Motion Adopted**

On motion of Senator HAYES, with unanimous consent, Senators RANKIN, HUTTO and HAYES were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**Leave of Absence**

On motion of Senator KIMPSON, at 3:10 P.M., Senator MATTHEWS was granted a leave of absence for the balance of the day today and tomorrow, June 5, 2014.

**Leave of Absence**

On motion of Senator SHANE MARTIN, at 4:10 P.M., Senator MALLOY was granted a leave of absence for the balance of the day.

**Privilege of the Chamber**

    On motion of Senator BRYANT, on behalf of Senator YOUNG, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to the family of Representative J. Roland Smith upon the occasion of his retirement and outstanding service to South Carolina.

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Seldon T. Peden, 10 Knox Street, Greenville, SC 29605 *VICE* New Seat

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

James Doster, Jr., 116 Turtle Dove Circle, Hemingway, SC 29554

Initial Appointment, South Carolina State Board for Technical and Comprehensive Education, with the term to commence July 1, 2014, and to expire July 1, 2020

6th Congressional District:

Gregory B. Askins, 409 East George Street, Hemingway, SC 29554 *VICE* Joe W. Pearce

**COMMUNICATION RECEIVED**

The PRESIDENT *Pro Tempore* addressed the Senate with brief remarks and delivered the following communication:

June 4, 2014

The Honorable Jeffrey S. Gossett

Clerk, South Carolina Senate

401 Gressette Building

Columbia, South Carolina 29201

Dear Mr. Gossett,

Effective immediately, I hereby tender my resignation as PRESIDENT *Pro Tempore* of the South Carolina Senate.

Sincerely,

/s/Sen. John Courson

**Remarks by Senator COURSON**

Mr. PRESIDENT, I will be brief. Two years ago on March 13, 2012, you honored me, with an honor I never thought I’d have, by electing me as PRESIDENT *Pro Tempore* of the South Carolina Senate. I have been pleased and privileged to serve as your leader for the last two and a half years. Today, I have resigned as PRESIDENT *Pro Tempore* of the South Carolina Senate.

The resignation letter is on the desk, addressed to the Clerk. The reasons why are multiple. When I ran for re-election to the Senate in 2012, this question came up in the campaign, “If the office of the Lt. Governor became vacant would you accept the position?” I made a firm commitment to my constituents at that time. I told them that if it were similar to what happened with Senator GLENN McCONNELL and there was a three-year vacancy, two-year vacancy or even a one‑year vacancy, that I would do it. I would take the oath and become Lt. Governor, but I would never run for re-election to the state’s second highest position. It is not a position I have ever desired. Given what has transpired in the last two days, I think it’s important that the process continues. What I would like to see is this - we currently have a Lt. Governor in South Carolina. My challenge to him is to serve his term out. He can do it, it’s not a conflict of interest and it’s not dual office holding. If he does that, it will eliminate any potential constitutional questions that may arise with his alleged pending resignation. He was elected by this body as PRESIDENT *Pro Tempore* and assumed the position of Lt. Governor. My request to him, again, would be to serve his term out. Also, since the Lt. Governor of South Carolina apparently has become such a great and important position, I think the Governor of this State, who is of that belief even though we have had six PRESIDENT *Pro Tempores* who have not ascended to become Lt. Governor, should get on the telephone, or go to Charleston and meet with the Lt. Governor to tell him how important it is for the State that he continue to serve as our Lt. Governor. This resignation has nothing to do with you. Again, I have been honored to serve as your elected leader. When I was elected, I remember Senator HUTTO said, “I want you to do one thing and that’s to be fair.” Hopefully, I have been fair. Thank you.

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

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Remarks by Senator SETZLER**

Mr. PRESIDENT, lady and gentlemen of the Senate, I am not sure how to begin. I have been blessed to serve here this long, and today is a sad day for the South Carolina Senate in one regard. Yet it is a day that makes me proud to be a Senator and to serve with Senator JOHN COURSON.

I am honored to serve in the capacity as the Minority Leader in the South Carolina Senate, and I hope and think I can speak on behalf of all of our minority caucus members. From our perspective, Senator COURSON, we want to say thank you. Thank you for your service as the PRESIDENT *Pro Tempore*, thank you for your service to the people of your Senate District, and thank you for your service to the people of South Carolina.

You have served as the PRESIDENT *Pro Tempore* with dignity, honor and fairness. Have I agreed with everything you have done? I have not, and I have shared that with you in private. As my wife says, I am brutally honest about what I think and I have shared some honest thoughts with you. But you have been a tremendous PRESIDENT *Pro Tempore* in leading us and working with us.

I had a strange feeling when I walked on the floor of the South Carolina Senate today. I had previously been with the Majority Leader and the Chairman of Finance, and the three of us were talking about the position you were in with what has transpired. The operation and this body are more important than anything or any individual in this Chamber. Senator COURSON -- you have exemplified that today. You have put this body before yourself. We thank you.

It is an incredible move on your behalf. You have worked with us in a bipartisan way. When you took office, I took this podium and offered the hand of bipartisanism. You have taken that hand, and I have walked with you. I hope that your successor in this body will do the same thing.

I do not know of any conference committee for which I have given you a recommendation that you have not followed. You have gone out of your way to do that.

The South Carolina Senate, in my opinion, is the most deliberative body in America. It is the best job in my opinion. It is tough. This session has been tough. The last three weeks have been tough, but we have had a lot of pure unadulterated politics that have been injected into the operation of the South Carolina Senate. It is wrong. Those of you that have injected politics into it, now it is your responsibility to deal with where we are.

I pledge to you from my position, as a representative of the people of my Senate District and as the Minority Leader, that this South Carolina Senate will grow stronger. We have faced tough challenges before and will face them again. We are up to the challenge. We will represent the people of South Carolina, and we will pass the legislation that needs to be done.

We are going to do our job. Now I ask the other elected officials in this State to do their jobs.

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

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Remarks by Senator PEELER**

Thank you, Mr. PRESIDENT and members of the Senate. There is nothing much I can add to what the Minority Leader just said, but I need to share with you how I feel. Senator COURSON and I offered for this position and we talked prior to offering for PRESIDENT *Pro Tem* of this Senate. We had a conversation and I said, “John, we were friends before this election and we’ll be friends after this election.” I was wrong. We became *best* friends after this election. Members of the Senate, we couldn’t have picked a better PRESIDENT *Pro Tem* and I am saddened today about what is going on and I still want to get to the bottom of the politics, Senator SETZLER, on why this has happened. Why have you been forced to do what you’ve been forced to do, Senator COURSON? I don’t like it. I don’t agree with it. I wish you had not resigned. I told you I would support you in whatever decision you made and I *do* support you. I look forward to, at the proper time, whenever you are ready, nominating you for re-election as PRESIDENT *Pro Tem* of the Senate.

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

**ACTING PRESIDENT PRESIDES**

Senator CROMER assumed the Chair.

**Expression of Personal Interest**

Senator LARRY MARTIN rose for an Expression of Personal Interest.

**Sense of the Senate Motion Adopted**

On motion of Senator LARRY MARTIN, the Senate agreed that it be the Sense of the Senate that the Minority Leader make appointments to Committees of Conference and Free Conference under Rule 19G until the position of PRESIDENT *Pro Tempore* is filled.

**Expression of Personal Interest**

Senator SHEHEEN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator JACKSON rose for an Expression of Personal Interest.

**Doctor of the Day**

Senators MASSEY and CROMER introduced Dr. Ralph Riley of Saluda, S.C., Doctor of the Day. Dr. Riley’s grandfather served in the House of Representatives.

**Leave of Absence**

On motion of Senator LOURIE, at 6:00 P.M., Senator SHEHEEN was granted a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator HAYES, at 6:00 P.M., Senator ALEXANDER was granted a leave of absence for the balance of the day.

**Leave of Absence**

At 6:12 P.M., Senator COURSON requested a leave of absence for the balance of the day.

**Motion Adopted**

On motion of Senator PEELER, the Senate agreed to go into Executive Session prior to adjournment.

**ACTING PRESIDENT PRESIDES**

Senator LARRY MARTIN assumed the Chair.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1367 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE MR. AND MRS. CHARLES L. HUTTO, ON THE OCCASION OF THEIR SIXTIETH WEDDING ANNIVERSARY, AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT.

l:\council\bills\gm\24150ac14.docx

The Senate Resolution was adopted.

S. 1368 -- Senator Malloy: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE TONY DEWAYNE MCDANIEL FOR HIS OUTSTANDING PERFORMANCE WITH THE SEATTLE SEAHAWKS FOOTBALL TEAM AND TO WISH HIM MANY MORE YEARS OF SUCCESS AND HAPPINESS.

l:\s-res\gm\021tony.mrh.gm.docx

The Senate Resolution was adopted.

S. 1369 -- Senator Hayes: A SENATE RESOLUTION TO CONGRATULATE WESTMINSTER TOWERS AT THE CELEBRATION OF ITS TWENTY-FIFTH ANNIVERSARY IN JUNE 2014 AND TO COMMEND THE ORGANIZATION FOR THE EXCELLENCE OF ITS SENIOR CARE.

l:\council\bills\rm\1674vr14.docx

The Senate Resolution was adopted.

H. 5326 -- Reps. McCoy, Whipper, Stavrinakis and Harrell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF CAMP ROAD AND DILLS BLUFF ROAD ON JAMES ISLAND IN CHARLESTON COUNTY "LEONARD BLANK INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

H. 5335 -- Reps. Harrell, Sandifer, Hardwick, Stavrinakis, Bannister, Delleney, Lucas, Owens and White: A CONCURRENT RESOLUTION TO URGE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT-IMPORT BANK FOR AN ADDITIONAL FIVE YEARS BECAUSE FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

H. 5351 -- Reps. Barfield, Hardwick, H. A. Crawford, Ryhal, Hardee, Anderson, Clemmons, George, Edge and Hayes: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE HORRY COUNTY VETERANS AFFAIRS DEPARTMENT, VETERANS AFFAIRS SERVICE OFFICER WENDELL ALLEN, AND VETERANS AFFAIRS DEPUTY SERVICE OFFICER TABITHA BARFIELD FOR THE OUTSTANDING SERVICE THEY PROVIDE TO HORRY COUNTY'S VETERANS AND THEIR FAMILIES.

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

H. 5361 -- Reps. Clemmons, Barfield, H. A. Crawford, Hardwick, Hardee, Ryhal, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clyburn, Cobb-Hunter, Cole, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, R. L. Ott, Owens, Parks, Patrick, Pitts, Norrell, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE BRAD DEAN, PRESIDENT AND CEO OF THE MYRTLE BEACH AREA CONVENTION AND VISITORS BUREAU/CHAMBER OF COMMERCE, ON BEING APPOINTED BY U.S. SECRETARY OF COMMERCE PENNY PRITZKER TO THE TRAVEL AND TOURISM ADVISORY BOARD.

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

**REPORTS OF STANDING COMMITTEES**

**Appointment Reported**

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

**Statewide Appointment**

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2012, and to expire July 1, 2016

6th Congressional District:

Cary L. Chastain, 180 Mary Ellen Dr., Charleston, SC 29403 *VICE* Mr. John P. Evans

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

H. 3102 -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR‑STRAND DRUG TESTS OVER A NINE‑MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE‑MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT’S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT’S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

Very respectfully,

Speaker of the House

Received as information.

On motion of Senator MASSEY, with unanimous consent, the Bill was taken up for immediate consideration.

**NONCONCURRENCE**

H. 3102 -- Reps. Forrester, V.S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “JAIDON’S LAW”; TO AMEND SECTION 63‑7‑1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63‑7‑1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR‑STRAND DRUG TESTS OVER A NINE‑MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE‑MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1940, RELATING TO COURT‑ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63‑7‑2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT’S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT’S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

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

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

H. 3361 -- Reps. Cobb‑Hunter, Long, Weeks and R.L. Brown: A BILL TO AMEND SECTION 20‑4‑60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO A PET ANIMAL OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF PET ANIMALS.

Very respectfully,

Speaker of the House

Received as information.

On motion of Senator HUTTO, with unanimous consent, the Bill was taken up for immediate consideration.

**CONCURRENCE**

H. 3361 -- Reps. Cobb‑Hunter, Long, Weeks and R.L. Brown: A BILL TO AMEND SECTION 20‑4‑60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO A PET ANIMAL OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF PET ANIMALS.

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

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**Message from the House**

Columbia, S.C., June 4, 2014

Mr. President and Senators:

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

S. 1329 -- Senator Massey: A BILL TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE SEVEN SINGLE‑MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2014, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE NEWLY DRAWN ELECTION DISTRICTS.

Very respectfully,

Speaker of the House

Received as information.

On motion of Senator MASSEY, with unanimous consent, the Bill was taken up for immediate consideration.

**CONCURRENCE**

S. 1329 -- Senator Massey: A BILL TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE SEVEN SINGLE‑MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2014, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE NEWLY DRAWN ELECTION DISTRICTS.

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

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**Message from the House**

Columbia, S.C., June 4, 2014

Mr. President and Senators:

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

H. 4354 -- Reps. Harrell, Cobb‑Hunter, G.M. Smith, Long, Douglas, Felder, R.L. Brown and Goldfinch: A BILL TO AMEND SECTION 44‑115‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHT OF A PATIENT TO RECEIVE A COPY OF HIS MEDICAL RECORD OR HAVE IT TRANSFERRED TO ANOTHER PHYSICIAN, SO AS TO PROVIDE THE PATIENT MAY CHOOSE TO RECEIVE THE RECORD EITHER AS A PHOTOCOPY REPRODUCTION OR IN AN ELECTRONIC FORMAT STORED ON DIGITAL MEDIA; AND TO AMEND SECTION 44‑115‑80, RELATING TO FEES PHYSICIANS MAY CHARGE TO SEARCH AND DUPLICATE A MEDICAL RECORD, SO AS TO SPECIFY WHAT FEES MAY BE CHARGED FOR A PHOTOCOPY REPRODUCTION AND FOR AN ELECTRONIC REPRODUCTION, AND TO PROVIDE AN EXEMPTION FROM FEES FOR REPRODUCTIONS REQUESTED TO SATISFY A REQUIREMENT OF AN INSURER OR GOVERNMENTAL ENTITY THAT PROVIDES BENEFITS RELATED TO THE MEDICAL NEEDS OF THE PATIENT.

Very respectfully,

Speaker of the House

Received as information.

**H. 4354--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 4354 -- Reps. Harrell, Cobb‑Hunter, G.M. Smith, Long, Douglas, Felder, R.L. Brown and Goldfinch: A BILL TO AMEND SECTION 44‑115‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHT OF A PATIENT TO RECEIVE A COPY OF HIS MEDICAL RECORD OR HAVE IT TRANSFERRED TO ANOTHER PHYSICIAN, SO AS TO PROVIDE THE PATIENT MAY CHOOSE TO RECEIVE THE RECORD EITHER AS A PHOTOCOPY REPRODUCTION OR IN AN ELECTRONIC FORMAT STORED ON DIGITAL MEDIA; AND TO AMEND SECTION 44‑115‑80, RELATING TO FEES PHYSICIANS MAY CHARGE TO SEARCH AND DUPLICATE A MEDICAL RECORD, SO AS TO SPECIFY WHAT FEES MAY BE CHARGED FOR A PHOTOCOPY REPRODUCTION AND FOR AN ELECTRONIC REPRODUCTION, AND TO PROVIDE AN EXEMPTION FROM FEES FOR REPRODUCTIONS REQUESTED TO SATISFY A REQUIREMENT OF AN INSURER OR GOVERNMENTAL ENTITY THAT PROVIDES BENEFITS RELATED TO THE MEDICAL NEEDS OF THE PATIENT.

On motion of Senator CLEARY, the Senate insisted upon its amendments to H. 4354 and asked for a Committee of Conference.

Whereupon, Senators CLEARY, DAVIS and JOHNSON were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 4, 2014

Mr. President and Senators:

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

H. 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.

Very respectfully,

Speaker of the House

Received as information.

**H. 4997--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

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.

On motion of Senator GROOMS, the Senate insisted upon its amendments to H. 4997 and asked for a Committee of Conference.

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

**Message from the House**

Columbia, S.C., June 4, 2014

Mr. President and Senators:

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

H. 3644 -- Reps. Loftis, Gagnon, Herbkersman, Lowe, Lucas, D.C. Moss, H.L. Ott, Pitts, Toole and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13‑1‑390 SO AS TO ESTABLISH WITHIN THE DIVISION OF STATE DEVELOPMENT OF THE DEPARTMENT OF COMMERCE THE CLEAN ENERGY INDUSTRY MARKET DEVELOPMENT ADVISORY COUNCIL AND PROVIDE FOR ITS MEMBERSHIP AND FUNCTIONS; TO AMEND SECTION 12‑6‑3588, RELATING TO THE RENEWABLE ENERGY TAX CREDIT INCENTIVE PROGRAM, SO AS TO REDESIGNATE THE PROGRAM THE SOUTH CAROLINA CLEAN ENERGY TAX INCENTIVE PROGRAM, TO REVISE DEFINITIONS TO EXTEND THE CREDIT TO ADDITIONAL FORMS OF ENERGY PRODUCTION AND OPERATIONS, TO DECREASE INVESTMENT THRESHOLDS AND DECREASE JOB CREATION THRESHOLDS FOR QUALIFYING FOR THE CREDIT AND MAKE THE CREDIT, PREVIOUSLY DUE TO EXPIRE DECEMBER 31, 2015, AVAILABLE THROUGH 2019 AND TO REVISE CREDIT ADMINISTRATION PROCEDURES; AND TO AMEND SECTION 12‑6‑3600, AS AMENDED, RELATING TO THE INCOME TAX CREDIT FOR CORN‑BASED ETHANOL OR SOY‑BASED BIODIESEL PRODUCTION IN THIS STATE, SO AS TO EXTEND THE CREDIT TO ALL LIQUID FUELS DERIVED FROM RENEWABLE SOURCES, MAKE CONFORMING DEFINITIONS, REDUCE THE AMOUNT OF LIQUID FUEL ELIGIBLE FOR THE CREDIT, AND TO EXTEND THE PERIOD DURING WHICH THE CREDIT MAY BE CLAIMED THROUGH 2019.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 4, 2014

Mr. President and Senators:

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

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

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 4, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Appointment, South Carolina State Board for Technical and Comprehensive Education, with term to commence July 1, 2014 and to end July 1, 2020:

6th Congressional District:

Mr. Gregory B. Askins, 409 East George Street, Hemingway, SC 29544 *VICE* Mr. Joe W. Pearce

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCE**

S. 1354 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME FOURTH STREET IN THE TOWN OF SUMMERTON “B. O. BUTLER STREET” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET THAT CONTAIN THIS DESIGNATION.

Returned with concurrence.

Received as information.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bills and Joint Resolution were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 4348 -- Reps. Lucas, Clemmons, Southard, Douglas, Allison, Taylor, Felder, Loftis, W.J. McLeod, Pitts, D.C. Moss and Bales: A BILL TO AMEND SECTION 63‑3‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF THE FAMILY COURT, INCLUDING JURISDICTION TO ORDER VISITATION FOR GRANDPARENTS OF MINOR CHILDREN, SO AS TO ELIMINATE CERTAIN PREREQUISITES TO ORDERING VISITATION.

H. 4840 -- Reps. Putnam, Owens, Stringer, Burns, Rivers, Bowen, Clyburn, Thayer, Wood, Wells, Dillard, Robinson‑Simpson, R.L. Brown and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT” BY ADDING SECTION 59‑43‑25 SO AS TO PROVIDE THAT BEFORE JANUARY 1, 2015, THE STATE BOARD OF EDUCATION SHALL SELECT A TEST OR TEST BATTERY THAT ELIGIBLE CANDIDATES SUCCESSFULLY MAY COMPLETE AS AN ALTERNATIVE TO THE GENERAL EDUCATION DEVELOPMENT TEST BATTERY TO RECEIVE A HIGH SCHOOL EQUIVALENCY DIPLOMA, THAT AN ESSENTIAL TRAIT OF THIS TEST OR TEST BATTERY MUST BE THAT IT ONLY MAY BE OFFERED IN A HANDWRITTEN, PAPER AND PEN OR PENCIL FORMAT AND MAY NOT BE DEPENDENT ON COMPUTER TECHNOLOGY FOR ITS ADMINISTRATION, TO REQUIRE THE BOARD SHALL AUTHORIZE THE ADMINISTRATION OF THIS TEST BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO CERTAIN REGULATIONS AND POLICIES, AND TO PROVIDE THE BOARD SHALL ISSUE HIGH SCHOOL EQUIVALENCY DIPLOMAS TO ELIGIBLE CANDIDATES WHO COMPLETE SUCCESSFULLY THE TEST OR TEST BATTERY AFTER JANUARY 1, 2015; AND TO AMEND SECTION 59‑43‑20, RELATING TO POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO BASIC ADULT AND SECONDARY EDUCATION, SO AS TO MAKE CONFORMING CHANGES.

H. 4864 -- Rep. Gambrell: A BILL TO AMEND SECTION 46‑21‑215, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED LABELS AND TAGS FOR CONTAINERS OF AGRICULTURAL, VEGETABLE, AND FLOWER SEEDS, SO AS TO REVISE CERTAIN OF THESE LABELING AND TAGGING REQUIREMENTS.

H. 5084 -- Reps. Bannister and Dillard: A JOINT RESOLUTION DIRECTING THE STATE BUDGET AND CONTROL BOARD TO TRANSFER FROM THE STATE OF SOUTH CAROLINA TO THE CITY OF GREENVILLE TWO PROPERTIES IN THE CITY OF GREENVILLE, ONE LOCATED AT THE CORNER OF NORTH CHURCH STREET AND EAST PARK AVENUE AND AN ADJACENT PROPERTY ON EAST PARK AVENUE, WHICH WERE PREVIOUSLY USED AS A STATE NATIONAL GUARD ARMORY.

**READ THE THIRD TIME**

**ORDERED ENROLLED FOR RATIFICATION**

H. 5316 -- Reps. Limehouse and Stavrinakis: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF A JOINT RESOLUTION OF 2014 BEARING RATIFICATION NUMBER 150 AND THE PROVISIONS OF SECTION 59‑1‑425, THE GOVERNING BODY OF THE CHARLESTON COUNTY SCHOOL DISTRICT MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR FIVE OR FEWER FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND SCHOOLS OR CHARTER SCHOOLS IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013‑2014 SCHOOL YEAR REGARDLESS OF WHETHER THE DISTRICT EXHAUSTS OR PLANS TO EXHAUST ALL STATUTORILY REQUIRED MAKE‑UP DAYS REMAINING ON THE 2013‑2014 SCHOOL CALENDAR.

Senator CAMPSEN asked unanimous consent to take the Joint Resolution up for immediate consideration.

There was no objection.

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

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

**Ayes 40; Nays 2**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams

**Total--40**

**NAYS**

Massey Young

**Total--2**

The Joint Resolution was read the third time, passed and ordered returned to the House of Representatives.

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 4061 -- Reps. Powers Norrell, King, Cobb‑Hunter, Douglas, Bowen, M.S. McLeod, Knight, Munnerlyn, Bernstein, Sabb, Jefferson, Williams, Neal, Gilliard, Howard, Skelton, Spires, Bowers, Anderson, G.A. Brown, Gagnon, George, Hayes, Hosey and Ridgeway: A BILL TO AMEND SECTION 59‑32‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SELECT OR DEVELOP INSTRUCTIONAL UNITS IN COMPREHENSIVE HEALTH EDUCATION FOR USE BY SCHOOL DISTRICTS, SO AS TO REQUIRE THE BOARD TO ALSO SELECT OR DEVELOP INSTRUCTIONAL UNITS IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION, WITH SEPARATE UNITS APPROPRIATE FOR EACH AGE LEVEL FROM FOUR‑YEAR OLD KINDERGARTEN THROUGH TWELFTH GRADE; AND TO AMEND SECTION 59‑32‑30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, AMONG OTHER THINGS, SO AS TO REQUIRE THE DISTRICTS TO PROVIDE AGE‑APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION AS PART OF THIS PROGRAM.

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

**Motion Under Rule 26B**

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

There was no objection.

Senator FAIR proposed the following amendment (SWB\4061C001.SWB.CM14), which was adopted:

Amend the bill, as and if amended, Section 59‑33‑20(B), as contained in SECTION 1, by deleting:

/ September 1, 2014 / on line 5, page 2, and inserting / September 1, 2015 /

Amend the bill further, Section 59‑32‑30, as contained in SECTION 2, by deleting / 2014‑2015 / on line 13, page 2, and inserting / 2015‑2016 /

Renumber sections to conform.

Amend title to conform.

Senator FAIR explained the amendment.

The amendment was adopted.

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

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 4665 -- Reps. H.A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑13‑185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

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

**Motion Under Rule 26B**

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

There was no objection.

Senator YOUNG proposed the following amendment (JUD4665.003), which was adopted:

Amend the bill, as and if amended, by striking all after SECTION 2 and inserting therein the following:

/ SECTION 3. Section 63-13-840 of the 1976 Code is amended to read:

“Section 63‑13‑840. (A) ~~The department shall visit the facility when concerns are expressed by the community regarding the health and safety of the children, child abuse, or enrollment beyond the limits set forth in this chapter.~~ When the department visits a family childcare home for purposes of an inspection or investigation pursuant to Section 63‑13‑80(A), it shall conduct the review to ensure the facility complies with the following:

(1) health and safety of the children;

(2) no evidence of child abuse; and

(3) enrollment within the limits set forth in this chapter;

~~(B) If the concern is in regard to the health and safety of the children, the department may call on other appropriate agencies (i.e., State Department of Health and Environmental Control, Office of the State Fire Marshal) as necessary to conduct an inspection.~~

~~(C)~~(B) If ~~the concern~~ a complaint received by the department concerning a family childcare home pursuant to Section 63‑13‑80 indicates that the child has been abused, the department shall carry out its responsibility as authorized under Chapter 7. ~~(D)~~ If the visits and inspections verify conditions detrimental to the health and safety of the children or overenrollment, the department shall carry out its responsibility as authorized by Section 63‑13‑160 and Section 63‑13‑830(C).”

SECTION 4. This act takes effect upon approval of the Governor, except for the provisions of SECTION 2 and SECTION 3, which take effect January 1, 2015. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG 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 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**MINORITY REPORT REMOVED**

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40‑54‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM “PURCHASE”; TO AMEND SECTION 40‑54‑40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40‑54‑50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40‑54‑80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

Senator ALLEN asked unanimous consent to remove his name from the minority report of the Bill.

There was no objection and proper notation was made on the Bill.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Labor, Commerce and Industry.

Senator ALEXANDER proposed the following amendment (3149R002.TCA), which was adopted:

Amend the committee amendment, as and if amended, page [3149‑1], by striking line 33 and inserting:

/ resold, melted, or altered in any manner, for a period of ~~seven~~ twenty‑one days /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

The Committee on Labor, Commerce and Industry proposed the following amendment (3149R001.TCA), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 27‑38, and inserting:

/ “Section 40‑54‑50. (A) No dealer may purchase any precious metal from a minor unless accompanied by his parent or guardian with appropriate identification.

(B) All precious metals purchased by a dealer ~~shall~~ must be held by the dealer at his permanent place of business or at another suitable location in ~~the~~ this State ~~of South Carolina~~ without being resold, melted, or altered in any manner, for a period of seven days from the purchase date. All goods required to be held under this section ~~shall~~ must at all reasonable times be open to inspection by any law enforcement agency.” /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER 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 37; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

Bright Bryant Corbin

*Martin, Shane*

**Total--4**

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

**ACTING PRESIDENT PRESIDES**

Senator COURSON assumed the Chair.

**MINORITY REPORT REMOVED**

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3905 -- Reps. Loftis, H.A. Crawford, Brannon, Daning, Crosby, Munnerlyn, J.R. Smith, Burns, Dillard, V.S. Moss, Pope, Powers Norrell, Ridgeway, Rivers, Simrill, Toole, Wood, W.J. McLeod and Cobb‑Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “BACK TO BASICS IN EDUCATION ACT OF 2013” BY ADDING SECTION 59‑29‑15 SO AS TO ADD CURSIVE WRITING AND MEMORIZATION OF MULTIPLICATION TABLES TO THE REQUIRED SUBJECTS OF INSTRUCTION IN PUBLIC SCHOOLS, TO REQUIRE STUDENTS DEMONSTRATE COMPETENCE IN EACH SUBJECT BEFORE COMPLETION OF THE FIFTH GRADE, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION TO ASSIST THE SCHOOL DISTRICTS IN IDENTIFYING THE MOST APPROPRIATE MEANS FOR INTEGRATING THIS REQUIREMENT INTO THEIR EXISTING CURRICULUMS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE BEGINNING WITH THE 2013-2014 SCHOOL YEAR.

Senator PINCKNEY asked unanimous consent to remove his name from the minority report of the Bill.

There was no objection and proper notation was made on the Bill.

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\3905C002.AGM.AB14), which was adopted:

Amend the bill, as and if amended, SECTION 3, by deleting the SECTION in its entirety and inserting:

/ SECTION 3. The provisions of this section take effect upon approval by the Governor, and are applicable beginning with the 2015‑2016 academic year. /

Renumber sections to conform.

Amend title to conform.

Senator HAYES explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 40; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright

**Total--1**

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

**MINORITY REPORT REMOVED**

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

H. 3086 -- Reps. Daning, J.E. Smith, Crosby, R.L. Brown, M.S. McLeod, Taylor, J.R. Smith, Wells, Hixon, Rivers and Gilliard: A BILL TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN‑STATE TUITION RATES.

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

Senator HUTTO proposed the following amendment (BH\3086C005.BH.DG14), which was adopted:

Amend the committee report by striking the committee report in its entirety and inserting:

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

/ SECTION 1. Section 59‑112‑50 of the 1976 Code, as last amended by Act 133 of 2012, is further amended to read:

“Section 59‑112‑50. (A)(1) Notwithstanding another provision of law, during the period of their assignment to duty in South Carolina, members of the Armed Services of the United States stationed in South Carolina and their dependents are eligible for in‑state tuition rates. When these armed service personnel are ordered away from the State, their dependents are eligible for in‑state tuition rates as long as they remain continuously enrolled at the state institution in which they are enrolled at the time the assignment ends or transfer to an eligible institution during the term or semester, excluding summer terms, immediately following their enrollment at the previous institution. In the event of a transfer, the receiving institution shall verify the decision made by the student’s previous institution in order to certify the student’s eligibility for in‑state tuition rates. It is the responsibility of the transferring student to ensure that all documents required to verify both the previous and present residency decisions are provided to the institution. ~~These persons and their dependents are eligible for in‑state tuition rates after their discharge from the armed services even though they were not enrolled at a state institution at the time of their discharge, if they have evidenced an intent to establish domicile in South Carolina and if they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge.~~

(B)(1) Active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents for courses that are presented on a distance basis, regardless of residency.

~~(B)~~(2) For purposes of this section, ‘active duty military personnel’ includes, but is not limited to, active duty guardsmen and active duty reservists.

(C) Notwithstanding any other provision of law, a veteran of the Armed Services of the United States, who has evidenced intent to establish domicile in South Carolina, and their dependents, are entitled to receive in‑state tuition and fees at state institutions without the requirement of one year of physical presence in this State. However, the provisions of this subsection only may be utilized once to obtain in‑state tuition for a veteran or a dependent of the veteran. After the provisions of this subsection have been used once, to continue to receive in‑state tuition, the veteran must present a South Carolina driver’s license or South Carolina Identification Card and a South Carolina Voter Registration Card. For purposes of this subsection, a ‘veteran’ is defined as an individual who has served on active duty in the United States Armed Forces and who has been honorably discharged from service.”

SECTION 2. (A) This act takes effect upon funding being provided to the Commission on Higher Education to implement the provisions of Section 59-112-50(C) as added by this act.

(B) The provisions of this Section 59‑112‑50(C) as added by this act, may be utilized until funding has been exhausted, on a first come first serve basis. Funding is exhausted when the Commission on Higher Educations determines that the appropriated funds are exceeded by the difference of the aggregate out‑of‑state tuition otherwise owed and the aggregate in‑state tuition as allowed by this act.

(C) This act sunsets August 1, 2017, and does not apply to the fall 2017 semester or session, or any semester or session beginning thereafter, unless reauthorized by the General Assembly. / //

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The Committee on Education proposed the following amendment (NL\3086C003.NL.SD14), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. This act takes effect August 1, 2014, and is applicable beginning with the fall 2014 semesters or sessions of state institutions of higher learning. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO 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 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**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**

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

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 (NBD\3853C001.NBD.AB13), which was adopted:

Amend the bill, as and if amended, Section 59‑40‑111(A)(3), as contained in SECTION 1, page 2, line 7, by deleting /ninety‑five/ and inserting /eighty‑five/

Amend the bill further, Section 59‑40‑110(E), as contained in SECTION 6, page 13, line 29, by adding /, beginning with student achievement data from the 2012‑2013 school year / after /three consecutive years/

Amend the bill further, Section 59-40-110(G), as contained in SECTION 6, page 13, line 43, by deleting /subsection (C) of/

Amend the bill further, Section 59-40-110(I), as contained in SECTION 6, page 14, line 15, by deleting /subsection (C) of/

Renumber sections to conform.

Amend title to conform.

Senator HAYES explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

H. 3428 -- Reps. Allison, Erickson, M.S. McLeod, J.E. Smith, Spires, Hiott, Owens, Whitmire, Douglas, Hamilton, Bannister, Neal, Alexander, Weeks, Powers Norrell, Bales, Anderson, Robinson‑Simpson, Williams, Henderson, Sottile, Munnerlyn, Rutherford, Vick, R.L. Brown, Whipper, Branham, Govan, J.R. Smith, Hayes, George, Funderburk, W.J. McLeod, Bernstein, Felder, Wood, Patrick and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑152‑25 SO AS TO DEFINE TERMS CONCERNING THE FIRST STEPS TO SCHOOL READINESS INITIATIVE; BY ADDING SECTION 59‑152‑32 SO AS TO PROVIDE THE FIRST STEPS BOARD OF TRUSTEES SHALL DEVELOP A COMPREHENSIVE LONG‑RANGE INITIATIVE AND STRATEGY FOR SCHOOL READINESS; BY ADDING SECTION 59‑152‑33 SO AS TO PROVIDE A STATEWIDE ASSESSMENT OF STUDENT SCHOOL READINESS; BY ADDING SECTION 63‑11‑1725 SO AS TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE SOUTH CAROLINA EARLY CHILDHOOD ADVISORY COUNCIL; BY ADDING SECTION 63‑11‑1735 SO AS TO PROVIDE FIRST STEPS SHALL ENSURE THE COMPLIANCE OF BABYNET WITH FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS, AND TO DEFINE CERTAIN TERMS; TO AMEND SECTION 59‑152‑10, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY FIRST STEPS PARTNERSHIPS AS LOCAL FIRST STEPS PARTNERSHIPS; TO AMEND SECTION 59‑152‑20, RELATING TO THE PURPOSE OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY PARTNERSHIPS AS LOCAL PARTNERSHIPS; TO AMEND SECTION 59‑152‑30, RELATING TO THE GOALS OF FIRST STEPS, SO AS TO RESTATE CERTAIN GOALS OF STUDENT READINESS; TO AMEND SECTION 59‑152‑40, RELATING TO OVERSIGHT OF THE INITIATIVE BY THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REQUIRE THE BOARD ALSO BE ACCOUNTABLE FOR THE INITIATIVE; TO AMEND SECTION 59‑152‑50, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, SO AS TO REVISE THE TIME FOR REQUIRED PERFORMANCE AUDITS AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑60, RELATING TO FIRST STEPS PARTNERSHIPS, SO AS TO REQUIRE A LOCAL PARTNERSHIP IN EACH COUNTY, TO PROVIDE THAT MEETINGS AND ELECTIONS OF A LOCAL PARTNERSHIP ARE SUBJECT TO THE FREEDOM OF INFORMATION ACT AND CERTAIN DISCLOSURE REQUIREMENTS, TO SPECIFY AND REVISE REQUIREMENTS FOR THE COMPOSITION OF A LOCAL PARTNERSHIP BOARD AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑70, RELATING TO THE POWERS AND DUTIES OF A LOCAL PARTNERSHIP BOARD, SO AS TO REVISE THE REQUIREMENTS CONCERNING COUNTY NEEDS ASSESSMENTS, RECORD KEEPING AND REPORTING, TO PROVIDE STAFFING PURSUANT TO LOCAL BYLAWS, AND TO PROVIDE MULTIPLE LOCAL PARTNERSHIPS MAY COLLABORATE TO MAXIMIZE EFFICIENT DELIVERY OF SERVICES AND THE EXECUTION OF THEIR DUTIES AND POWERS; TO AMEND SECTION 59‑152‑90, RELATING TO FIRST STEPS GRANTS, SO AS TO ESTABLISH THE GRANTS AS LOCAL PARTNERSHIP GRANTS, AND TO REVISE THE PROCESS FOR OBTAINING A GRANT AND THE METHOD OF ALLOCATING GRANT FUNDS; TO AMEND SECTION 59‑152‑100, RELATING TO USE OF FIRST STEPS GRANT FUNDS, SO AS TO PROVIDE THE SECTION APPLIES TO GRANTS EXPENDED BY A FIRST STEPS PARTNERSHIP, AND TO REVISE THE PERMISSIBLE USES OF GRANT FUNDS; TO AMEND SECTION 59‑152‑120, RELATING TO THE USE OF GRANT FUNDS FOR CAPITAL EXPENDITURES, SO AS TO REVISE THE PURPOSE FOR WHICH FUNDS MAY BE USED AND TO REQUIRE PRIOR APPROVAL OF THE BOARD OF TRUSTEES; TO AMEND SECTION 59‑152‑130, RELATING TO A MANDATORY MATCHING OF FUNDS BY LOCAL PARTNERSHIPS, SO AS TO REVISE THE MANDATORY AMOUNT, TO ENCOURAGE PRIVATE CONTRIBUTIONS TO HELP LOCAL PARTNERSHIPS MEET THEIR MANDATORY MATCHING REQUIREMENT, AND TO DELETE A PROVISION ALLOWING CERTAIN EXPENSES TO BE INCLUDED IN DETERMINING MATCHING FUNDS; TO AMEND SECTION 59‑152‑140, RELATING TO THE PERMISSIBILITY OF CARRY FORWARD FUNDS BY A LOCAL PARTNERSHIP, SECTION 59‑152‑150, RELATING TO ACCOUNTABILITY SYSTEMS, AND SECTION 59‑152‑160, RELATING TO PROGRESS EVALUATIONS, ALL SO AS TO DELETE OBSOLETE TERMS; TO AMEND SECTION 63‑11‑1720, RELATING TO THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; AND TO REPEAL SECTION 59‑152‑80 RELATING TO FIRST STEPS GRANTS AND SECTION 59‑152‑110 RELATING TO THE USE OF FIRST STEPS LOCAL PARTNERSHIP GRANT FUNDS.

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

Senator SETZLER proposed the following amendment (BH\3428C008.BH.DG14), which was adopted:

Amend the committee amendment, as and if amended, by striking SECTION 20 and inserting:

/ SECTION 20. A. Section 63‑11‑1720 of the 1976 Code is amended to read:

“Section 63‑11‑1720. (A) There is created the South Carolina First Steps to School Readiness Board of Trustees which must be chaired by the Governor, or his designee, and must include the State Superintendent of Education, or his designee, who shall serve as ex officio voting members of the board. ~~The board is composed of the twenty appointed, voting members as follows:~~

(B) In making the appointments specified in subsection (C)(1), (2), and (3) of this chapter, the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives shall seek to ensure diverse geographical representation on the board by appointing individuals from each congressional district as possible.

(C) The board shall include members appointed in the following manner:

(1) ~~The~~ the Governor shall appoint ~~two members~~ one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators;

(d) medical ~~or child care and development~~ providers; ~~and~~

(e) child care and development providers; and

(~~e~~f) the General Assembly, one member from the Senate and one member from the House of Representatives~~.~~;

(2) ~~The~~ the President Pro Tempore of the Senate shall appoint one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators; and

(d) medical or child care and development providers~~.~~;

(3) ~~The~~ the Speaker of the House of Representatives shall appoint one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators; and

(d) medical or child care and development~~.~~;

(4) ~~The~~ the chairman of the Senate Education Committee or his designee~~.~~;

(5) ~~The~~ the chairman of the House Education and Public Works Committee or his designee~~.~~; and

(6) ~~The~~ the chief executive officer of each of the following shall serve as an ex officio ~~nonvoting~~ voting member:

(a) Department of Social Services ~~or his designee~~;

(b) Department of Health and Environmental Control ~~or his designee~~;

(c) Department of Health and Human Services ~~or his designee~~;

(d) ~~Department of Mental Health or his designee;~~

~~(e)~~ Department of Disabilities and Special Needs ~~or his designee~~;

(~~f~~) ~~Department of Alcohol and Other Drug Abuse Services or his designee;~~

~~(g)~~ ~~Department of Transportation or his designee;~~

~~(h)~~ ~~State Budget and Control Board, Division of Research and Statistics or his designee; and~~

~~(i)~~ ~~State Board for Technical and Comprehensive Education~~

(e) State Head Start Collaboration Officer; and

(f) Children’s Trust of South Carolina.

~~(7)~~ ~~The following organizations shall designate one member to serve as an ex officio nonvoting member:~~

~~(a)~~ ~~South Carolina State Library;~~

~~(b)~~ ~~Transportation Association of South Carolina; and~~

~~(c)~~ ~~State Advisory Committee on the Regulation of Childcare Facilities.~~

(~~B~~D) The terms of the members are for four years and until their successors are appointed and qualify~~, except of those first appointed~~. ~~When making the initial appointments, the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives shall designate half of their appointments to serve two‑year terms only.~~ The appointments of the members from the General Assembly shall be coterminous with their terms of office.

(~~C~~E) Vacancies for any reason must be filled in the manner of the original appointment for the unexpired term. A member may not serve more than two terms or eight years, whichever is longer. A member who misses more than three consecutive meetings without excuse or a member who resigns must be replaced in the same manner as his predecessor. Members may be paid per diem, mileage, and subsistence as established by the board not to exceed standards provided by law for boards, committees, and commissions. A complete report of the activities of the First Steps to School Readiness Board of Trustees must be made annually to the General Assembly.

(F)(1) There is created the Office of First Steps Study Committee to review the structure, responsibilities, governance by an organization exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, and administration of the Office of First Steps. The goal of the study committee is to guarantee that children from birth to school‑age receive needed services from the Office of First Steps in the most effective way through coordination with other agencies that serve the same population. Also, the study committee shall determine whether the services provided by the Office of First Steps are provided in the most cost‑effective and direct manner to entities served by the Office of First Steps, including County First Steps Partnerships Boards. The study committee shall evaluate the structure and costs of the Office of First Steps becoming an independent agency and make a recommendation as to whether the Office of First Steps should become an agency, remain as a program at the Department of Education, be relocated within a state agency other than the Department of Education, or any other alternative structure the study committee deems fit. The study committee shall also address the issues concerning the governance of an organization exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986 relative to the structure recommended by the study committee. When making its recommendation as to the structure, the study committee must include an analysis of the costs associated with a change in structure. Such costs include, but are not limited to, personnel, data security, data management, and fiscal services.

(2) The study committee shall be composed of:

(a) four members of the Senate appointed by the Chairman of the Senate Education Committee. Of these members, one must be appointed upon the recommendation of the Senate Majority Leader, one must be appointed upon the recommendation of the Senate Minority Leader, and one must be a member of the South Carolina First Steps to School Readiness Board of Trustees;

(b) four members of the House of Representatives appointed by the Chairman of the House Education and Public Works Committee. Of these members, one must be appointed upon the recommendation of the House Majority Leader, one must be appointed upon the recommendation of the House Minority Leader, and one must be a member of the South Carolina First Steps to School Readiness Board of Trustees;

(c) one member appointed by the Governor, who shall serve as chairman;

(d) the President of the Institute for Child Success, or his designee;

(e) the Chairman of the Education Oversight Committee, or his designee; and

(f) the Chairman of the Joint Citizens Legislative Committee on Children, or his designee.

Except for the two members of South Carolina First Steps to School Readiness Board of Trustees appointed pursuant to subitems (a) and (b), no member of the study committee may be a member of the South Carolina First Steps to School Readiness Board of Trustees or a member of a County First Steps Partnership Board.

(3) The study committee must be staffed by the staff of the Senate Education Committee and the House Education and Public Works Committee.

(4) The study committee shall complete its review and submit its recommendation to the General Assembly no later than March 15, 2015. Upon submission of its recommendation, the study committee is dissolved.”

B. Act 99 of 1999, South Carolina First Steps to School Readiness Act, is reauthorized until July 1, 2016. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the perfecting amendment.

The amendment was adopted.

The Committee on Education proposed the following amendment (AGM\3428C004.AGM.AB14), which was adopted:

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

/ SECTION 1. Chapter 152, Title 59 of the 1976 Code is amended by adding:

“Section 59‑152‑25. For the purposes of this title:

(A) ‘Evidence‑based program’ means a program based on a clear and consistent program model that is designated as such by the South Carolina First Steps to School Readiness Board of Trustees because the program:

(1)(a) is grounded in published, peer reviewed research that is linked to determined outcomes;

(b) employs well trained and competent staff to whom the program provides continual professional development that is relevant to the specific model being delivered;

(c) demonstrates strong linkages to other community based services; and

(d) is operated to ensure program fidelity; or

(2) is commonly recognized by experts in the field as such a program.

(B) ‘Board of trustees’ or ‘board’ means the First Steps School to Readiness Board of Trustees pursuant to Article 17, Title 63.”

(C) ‘Evidence‑informed program’ means a program that does not satisfy the criteria of an evidenced‑based program model but that the South Carolina First Steps to School Readiness Board of Trustees determines is supported by research indicating its potential effectiveness.

(D) ‘Partnership’ refers to a local First Steps organization designated as such by the South Carolina First Steps to School Readiness Board of Trustees, organized under Section 501(c)(3) of the Internal Revenue Code as a nonprofit corporation, and formed to further, within the coverage area, the purpose and goals of the First Steps initiative as stated in Sections 59‑152‑20 and 59‑152‑30.

(E) ‘Preschool child’ means a child from the prenatal stage to entry into five‑year‑old kindergarten.

(F) ‘Prevalent program investment’ means a program administered by a partnership and funded with state grant money, which accounts for at least ten percent of total programmatic spending in First Steps.

(G) ‘School readiness’ means the level of child development necessary to ensure early school success as measured in the following domains: physical health and motor skills; emotional and social competence; language and literacy development; and mathematical thinking and cognitive skills. School readiness is supported by the knowledge and practices of families, caregivers, healthcare providers, educators, and communities.”

SECTION 2. Chapter 152, Title 59 of the 1976 Code is amended by adding:

“Section 59‑152‑32. (A) In Section 63‑11‑1720, the South Carolina First Steps to School Readiness Board of Trustees may carry out its assigned functions by developing a comprehensive long‑range initiative for improving early childhood development, increasing school readiness and literacy, establishing results oriented measures and objectives, and assessing whether services provided by First Steps Partnerships to children and families are meeting the goals and achieving the results established in this chapter. The board shall do the following to fulfill these duties before July 1, 2015:

(1) in consultation with the State Board of Education, and with the advice and consent of that board, adopt a description of school readiness that includes specific:

(a) characteristics and development levels of a ready child that must include, but are not limited to, emerging literacy, numeracy, and physical, social, and emotional competencies;

(b) characteristics of school, educators, and caregivers that the board considers necessary to create an optimal learning environment for the early years of students’ lives; and

(c) characteristics of the optimal environment which would lead to the readiness of students and their continued success;

(2) establish specific benchmarks and objectives for use by the board of trustees, local partnership boards, and any agency that administers a program to benefit preschool children;

(3) determine whether state and local programs and activities are effective and contribute to achieving the goals established in Section 59‑152‑30; and

(4) publish and distribute a list of approved evidence‑based and evidence‑informed programs.

(B) The board of trustees shall review the school readiness description, benchmarks, and objectives and adopt any revisions it considers appropriate before December 31, 2014, again before December 31, 2019, and every five years afterward.”

SECTION 3. Chapter 152, Title 59 of the 1976 Code is amended by adding:

“Section 59‑152‑33. (A) Before July 1, 2015, the South Carolina Education Oversight Committee shall recommend an assessment to evaluate and measure the school readiness of students prior to their entrance into a pre‑kindergarten or kindergarten program per the goals pursuant to Section 59‑152‑30 to the State Board of Education. Prior to submitting the recommendation to the State Board, the Education Oversight Committee shall seek input from the South Carolina First Steps to School Readiness Board of Trustees and other early childhood advocates. In making the recommendation, the South Carolina Education Oversight Committee shall consider assessments that are research‑based, reliable, and appropriate for measuring readiness. The assessment chosen must evaluate each child’s early language and literacy development, numeracy skills, physical well‑being, social and emotional development, and approaches to learning. The assessment of academic readiness must be aligned with first and second grade standards for English language arts and mathematics. The purpose of the assessment is to provide teachers, administrators, and parents or guardians with information to address the readiness needs of each student, especially by identifying language, cognitive, social, emotional, and health needs, and providing appropriate instruction and support for each child. The results of the screenings and the developmental intervention strategies recommended to address the child’s identified needs must be provided, in writing, to the parent or guardian. Reading instructional strategies and developmental activities for children whose oral language and emergent literacy skills are assessed to be below the national standards must be aligned with the district’s reading proficiency plan for addressing the readiness needs of each student. The school readiness assessment adopted by the State Board of Education may not be used to deny a student admission or progress to kindergarten or first grade. Every student entering the public schools for the first time in prekindergarten and kindergarten must be administered a readiness screening by the forty fifth day of the school year.

(B) The results of individual students in a school readiness assessment may not be publicly reported.

(C) Following adoption of a school readiness assessment, the State Board of Education shall adopt a system for reporting population‑level results that provides baseline data for measuring overall change and improvement in the skills and knowledge of students over time. The Department of Education shall house and monitor the system.

(D) The South Carolina First Steps of School Readiness Board of Trustees shall support the implementation of the school readiness assessment and must provide professional development to support the readiness assessment for teachers and parents of programs supported with First Steps funds. The board shall utilize the annual aggregate literacy and other readiness assessment information in establishing standards and practices to support all early childhood providers served by First Steps.”

SECTION 4. Article 17, Chapter 11, Title 63 of the 1976 Code is amended by adding:

“Section 63‑11‑1725. (A) For the purposes of this article, ‘advisory council’ means the South Carolina Advisory Council established by Executive Order Number 2010‑06 in compliance with the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Section 9837b, et seq.

(B) The membership of the advisory council is exclusively composed of the membership of the Board of Trustees of the South Carolina First Steps to School Readiness Initiative. Each voting and nonvoting member shall serve as a voting member of the South Carolina Advisory Council, concurrent with his service on the board.

(C) The advisory council is an entity distinct from the Board of Trustees and must act accordingly to fulfill its responsibilities under 42 U.S.C. Section 9837b(b)(1)(D)(i) of the Improving Head Start for School Readiness Act of 2007. The advisory council shall keep separate minutes that explicitly distinguish its actions and votes from those made when acting in the capacity of the board of trustees. The advisory council must officially adjourn before acting as the board of trustees, and the board of trustees shall adjourn before acting as the advisory council.

(D) The State Director of First Steps shall coordinate the activities of the advisory council. Pursuant to 42 U.S.C. Section 9837b(b)(1)(D)(i), the advisory council shall:

(1) conduct a periodic statewide needs assessment concerning the quality and availability of early childhood education and development programs and services for children from birth to the age of school entry, including an assessment of the availability of high quality prekindergarten services for low income children in the State;

(2) identify opportunities for, and barriers to, collaboration and coordination among federally funded and state‑funded child development, child care, and early childhood education programs and services, including collaboration and coordination among state agencies responsible for administering these programs;

(3) develop recommendations for increasing the overall participation of children in existing federal, state, and local child care and early childhood education programs, including outreach to underrepresented and special populations;

(4) develop recommendations regarding the establishment of a unified data collection system for public early childhood education and development programs and services throughout the State;

(5) develop recommendations regarding statewide professional development and career advancement plans for early childhood educators in the State;

(6) assess the capacity and effectiveness of two‑year and four‑year public and private institutions of higher education in the state for supporting the development of early childhood educators, including the extent to which these institutions have in place articulation agreements, professional development and career advancement plans, and practice or internships for students to spend time in a Head Start or prekindergarten program;

(7) make recommendations for improvements in state early learning standards and undertake efforts to develop high quality comprehensive early learning standards, as appropriate;

(8) develop and publish, using available demographic data, an indicators‑based measure of school readiness at the state and community level;

(9) incorporate, within the periodic statewide needs assessments required in 42 U.S.C. Section 9837(b), any data related to the capacity and efforts of private sector providers, Head Start providers, and local school districts to serve children from birth to age five, including fiscal, enrollment, and capacity data; and

(10) perform all other functions, as permitted under federal and state law, to improve coordination and delivery of early childhood education and development to children in this State.

(E) The advisory council shall designate a meeting as its annual meeting. All of the chief executive officers of the State agencies represented on the Early Childhood Advisory Council must attend the annual meeting in person.

(F) The advisory council shall prepare an annual report of its activities for presentation to the Governor and General Assembly.”

SECTION 5. Article 17, Chapter 11, Title 63 of the 1976 Code is amended by adding:

“Section 63‑11‑1735. (A) For the purposes of this article:

(1) ‘BabyNet’ is the interagency early intervention system that is the Part C program in South Carolina.

(2) ‘I.D.E.A.’ means the Individuals with Disabilities Education Act, 20 U.S.C. Section 1400, et seq.

(3) ‘Maintenance of effort’ means the requirement of Part C that relevant state and local agencies maintain a specified level of financial support for early intervention services in compliance with 34 C.F.R. 303.124.

(4) ‘Part C program’ means an program of early intervention services to infants and toddlers with disabilities required in each state by I.D.E.A. and for which South Carolina First Steps to School Readiness is designated as the lead agency to administer the Part C program in South Carolina by Executive Order Number 2009‑12 in compliance with Subchapter VIII, Chapter 33, Title 20, U.S. Code Annotated relating to Head Start programs, and as provided in Section 44‑7‑2520(A), which relates to definitions concerning the South Carolina Infants and Toddlers with Disabilities Act.

(B) First Steps shall ensure that BabyNet complies with the maintenance of effort requirement by coordinating with all agencies that provide early intervention services in this State to ensure they each properly document all Part C expenditures annually.”

SECTION 6. Section 59‑152‑10 of the 1976 Code is amended to read:

“Section 59‑152‑10. There is established South Carolina First Steps to School Readiness, a comprehensive, results‑oriented initiative for improving early childhood development by providing, through ~~county~~ local partnerships, public and private funds and support for high‑quality early childhood development and education services for children by providing support for their families’ efforts toward enabling their children to reach school ready to ~~learn~~ succeed.”

SECTION 7. Section 59‑152‑20 of the 1976 Code is amended to read:

“Section 59‑152‑20. The purpose of the First Steps initiative is to develop, promote, and assist efforts of agencies, private providers, and public and private organizations and entities, at the state level and the community level, to collaborate and cooperate in order to focus and intensify services, assure the most efficient use of all available resources, and eliminate duplication of efforts to serve the needs of young children and their families. First Steps funds must not be used to supplant or replace any other funds being spent on services but must be used to expand, extend, improve, or increase access to services or to enable a community to begin to offer new or previously unavailable services in their community. The South Carolina First Steps to School Readiness Board of Trustees, Office of First Steps to School Readiness, and the ~~County~~ local First Steps Partnerships shall ~~assure that collaboration, the development of partnerships, and the sharing and maximizing of resources are occurring before funding for the implementation/management grants, as provided for in this chapter, are made available~~ ensure that collaborations, the existence and continued development of partnerships, and the sharing and maximizing of resources occur so that the funding of grants and services, as provided in this chapter, may continue.”

SECTION 8. Section 59‑152‑30 of the 1976 Code is amended to read:

“Section 59‑152‑30. The goals for South Carolina First Steps to School Readiness are to:

(1) provide parents with access to the support they might seek and want to strengthen their families and to promote the optimal development of their preschool children;

(2) increase comprehensive services so children have reduced risk for major physical, developmental, and learning problems;

(3) promote high quality preschool programs that provide a healthy environment that will promote normal growth and development;

(4) provide services so all children receive the protection, nutrition, and health care needed to thrive in the early years of life so they arrive at school ready to ~~learn~~ succeed; and

(5) mobilize communities to focus efforts on providing enhanced services to support families and their young children so as to enable every child to reach school healthy and ready to ~~learn~~ succeed.”

SECTION 9. Section 59‑152‑40 of the 1976 Code is amended to read:

“Section 59‑152‑40. The South Carolina First Steps to School Readiness Board of Trustees established in Section 63‑11‑1720 shall oversee and be accountable for the South Carolina First Steps to School Readiness initiative.”

SECTION 10. Section 59‑152‑50 of the 1976 Code is amended to read:

“Section 59‑152‑50. ~~Within~~ Under supervision of the South Carolina First Steps to School Readiness Board of Trustees, there is created an Office of South Carolina First Steps to School Readiness ~~shall be established~~. The office shall:

(1) provide to the board information on best practice, successful strategies, model programs, and financing mechanisms;

(2) review the ~~county~~ local partnerships’ plans and budgets in order to provide technical assistance and recommendations regarding local grant proposals and improvement in meeting statewide and local goals;

(3) provide technical assistance, consultation, and support to ~~county~~ local partnerships to facilitate their success including, but not limited to, model programs, strategic planning, leadership development, best practice, successful strategies, collaboration, financing, and evaluation;

(4) evaluate each program funded by the South Carolina First Steps to School Readiness Board of Trustees on a regular cycle to determine its effectiveness and whether it should continue to receive funding;

(~~4~~5) recommend to the board the applicants meeting the criteria for First Steps partnerships and the grants to be awarded;

(~~5~~6) submit an annual report to the board by December first which includes, but is not limited to, the statewide needs and resources available to meet the goals and purposes of the First Steps to School Readiness initiative, a list of risk factors the office considers to affect school readiness, identification of areas where client‑level data is not available, an explanation of how First Steps programs reach the most at‑risk children, the ongoing progress and results of the First Steps to School Readiness initiative statewide and locally, fiscal information on the expenditure of funds, and recommendations and legislative proposals to further implement the South Carolina First Steps to School Readiness initiative statewide;

~~(6)~~ ~~provide for on‑going data collection and contract for an in‑depth performance audit due January 1, 2003, and every three years thereafter, to ensure that statewide goals and requirements of the First Steps to School Readiness initiative are being met; and~~

(7) provide for ongoing data collection. Before June 30, 2015, the board shall develop a response to the November 2014 external evaluation of each prevalent program and the overall goals of the initiative, as provided in Section 59‑125‑160. The office shall contract with an external evaluator to develop a schedule for an in‑depth and independent performance audit designed to measure the success of each prevalent program in regard to its success in supporting the goals of the State Board and those set forth in Section 59‑152‑20 and Section 59‑152‑30. Results of all external performance audits must be published in the First Steps annual report; and

(~~7~~8) coordinate the First Steps to School Readiness initiative with all other state, federal, and local public and private efforts to promote good health and school readiness of young children and support for their families.”

SECTION 11. Section 59‑152‑60 of the 1976 Code is amended to read:

“Section 59‑152‑60. (A) ~~The Office of First Steps to School Readiness, in collaboration with each county legislative delegation, shall initiate county forums for the purpose of bringing together stakeholders who are actively involved or interested in early childhood development and education so as to initiate a County First Steps Partnership. The times and locations of these forums and county‑wide meetings must be publicized in the local print and broadcast media.~~

~~(B)~~ ~~At a countywide meeting the participants shall begin to select, to the extent possible within the area covered by the partnership:~~

~~(1)~~ ~~Not more than two members from each of these categories to sit on the First Steps partnership board:~~

~~(a)~~ ~~pre‑kindergarten through primary educator;~~ Each county must be represented by a Local First Steps Partnership Board and each local board must provide services within every county it represents. A local partnership board must be comprised of individuals with resources, skills, knowledge, and interest in improving the readiness of young children for school. A list of all local partnership board members must be published in the partnership’s annual report, be reported annually to the local legislative delegation, and be on file with the Office of First Steps.

(B) The South Carolina First Steps to School Readiness Board of Trustees must establish bylaws for use by each local partnership board. These bylaws must, in addition to other requirements provided in this section, require that a meeting or election of a local partnership board comply with all Freedom of Information Act and IRS disclosure requirements.

(C) In accordance with the bylaws established by the board of trustees, each local partnership board shall maintain a total minimum membership of twelve and a maximum membership of thirty elected, appointed, and designated individuals. Elected and appointed members shall comprise a voting majority of the board.

(1) No more than four from any of the following categories may be elected to sit on a First Steps Partnership Board:

(a) pre‑kindergarten through primary educator;

(b) family education, training, and support provider;

(c) childcare ~~and~~ or early childhood development/education provider;

(d) healthcare provider;

(e) ~~transportation provider~~ local government;

(f) nonprofit organization that provides services to families and children;

(g) faith community; ~~and~~

(h) business community;

(i) philanthropic community; and

(j) parents of preschool children.

(2) ~~Three parents of pre‑school children. After the first year of the implementation of the First Steps to School Readiness initiative, parents serving on the County First Steps Partnership Board must have pre‑school children being served by First Steps programs; and~~

~~(3)~~ ~~Four members from early childhood education.~~

~~(C)~~ ~~After the county partnership board has been formed, if necessary to~~ To assure that all areas of the county or multicounty region are adequately represented and reflect the diversity of the ~~county~~ coverage area, each county legislative delegation may appoint up to four ~~additional~~ members to a local partnership board. Of these members, two are appointed by the Senate members and two by the House of Representative members of the delegation from persons with resources, skills, or knowledge that have specific interests in improving the readiness of young children for school.

(~~D~~3) Each of the following entities located within a particular First Steps Partnership coverage area shall designate one member to serve as a member of ~~its County~~ the local First Steps Partnership Board:

(a) county department of social services;

(b) county department of health and environmental control;

(c) Head Start or early Head Start;

(d) county library; and

(e) each of the school districts in the county.

(D) In conjunction with the independent external program evaluation established in Section 59‑152‑160, the South Carolina First Steps to School Readiness Board of Trustees shall conduct a formal review of the membership categories for First Steps Partnership Board composition. Upon completion of the review, the South Carolina First Steps to School Readiness Board of Trustees shall submit to the General Assembly a statement either verifying the continued applicability and appropriateness of the composition categories for First Steps Partnership Boards in place at that time, or recommending any appropriate and necessary changes.

(E) Members who miss more than three consecutive meetings without excuse or members who resign must be replaced from the same categories as their predecessor. The terms of the members of a ~~County~~ local First Steps Partnership Board are for ~~two~~ four years; however, membership on the board may not exceed ~~six~~ eight consecutive years.

(F) The chairman of a ~~County First Steps~~ local partnership board must be elected by majority vote of the board. The chairman shall serve a one‑year term; however, the chairman may be elected to subsequent terms not to exceed a total of four consecutive years.

(G) ~~County~~ A local First Steps ~~Partnerships~~ Partnership board must have policies and procedures for conducting meetings and disclosing records comparable to those provided for in the Freedom of Information Act. Prior to every vote taken by the board, members must abstain from voting if the issue being considered would result in a conflict of interest. The abstention must be noted in the minutes of the meeting.”

SECTION 12. Section 59‑152‑70 of the 1976 Code is amended to read:

“Section 59‑152‑70. (A) A First Steps Partnership Board shall, among its other powers and duties:

(1) adopt by‑laws as established by the First Steps to School Readiness Board to effectuate the provisions of this chapter which must include the creation of a periodic meeting schedule;

(2) coordinate a collaborative effort at the county or ~~multi‑county~~ multicounty level which will bring the community together to identify the area needs related to the goals of First Steps to School Readiness; develop a strategic long‑term plan for meeting those needs; develop specific initiatives to implement the elements of the plan; and integrating service delivery where possible;

(3) coordinate and oversee the implementation of the comprehensive strategic plan including, but not limited to, direct service provision, contracting for service provision, and organization and management of volunteer programs;

(4) effective July 1, 2016, each partnership’s comprehensive plan shall include the following core functions:

(a) service as a local portal connecting families of preschool children to community‑based services they may need or desire to ensure the school readiness of their children;

(b) service as a community convener around the needs of preschool children and their families; and

(c) support of state‑level school readiness priorities as determined by the State Board.

(~~4~~5) ~~create and annually revise a county~~ update a needs assessment every three years;

(~~5~~6) implement fiscal policies and procedures as required by the First Steps office and as needed to ensure fiscal accountability of all funds appropriated to the partnership;

(~~6~~7) keep accurate records of the partnership’s board meetings, board member’s attendance, programs, and activities for annual submission to the First Steps to School Readiness Board of Trustees;

(~~7~~8) collect information and submit an annual report by October ~~1~~ first to the First Steps to School Readiness Board of Trustees, and otherwise participate in the annual review and the three‑year evaluation of operations and programs. ~~The first annual report must be submitted October 1, 2000.~~ Reports must include but not be limited to:

(a) determination of the current level and data pertaining to the delivery and effectiveness of services for young children and their families, including the numbers of preschool children and their families served;

(b) strategic goals for increased availability, accessibility, quality, and efficiency of activities and services for young children and their families which will enable children to reach school ready to ~~learn~~ succeed;

(c) monitoring of progress toward strategic goals;

(d) report on implementation activities;

(e) recommendations for changes to the strategic plan which may include new areas of implementation;

(f) evaluation and report of program effectiveness and client satisfaction before, during, and after the implementation of the strategic plan, where available; and

(g) estimation of cost savings attributable to increased efficiency and effectiveness of delivery of services to young children and their families, where available.

(B) Each ~~County First Steps~~ local partnership may, in the performance of its duties, employ or acquire ~~administrative, clerical, stenographic, and other personnel as may be necessary to effectuate the provisions of this section. However, overhead~~ staff pursuant to the local partnership bylaws established by the South Carolina First Steps School to Readiness Board of Trustees. Overhead costs of ~~the partnership’s~~ a First Step partnership’s operations may not exceed eight percent of ~~its implementation/management grant allocation unless prior approval is received from the First Steps to School Readiness Board of Trustees~~ the total state funds appropriated for partnership grants. The South Carolina First Steps to School Readiness Board of Trustees shall contract with an independent cost accountant to provide recommendations as to an adequate, and not excessive, overhead cost rate for individual partnerships no later than July 1, 2017. Once these recommendations are received, the First Steps to School Readiness Board of Trustees may adjust the overhead percentage for the local partnership.

(C) Each ~~County~~ First Steps partnership may apply for, receive, and expend federal, state, and local funds, grants, and other funding in order to improve programs as provided in Section 59‑152‑25(A).

(D) ~~Day care facilities receiving grants must first use a portion of their funds to achieve licensed status and then to achieve the equivalent status to that of enhanced ABC provider.~~

~~(E)~~ To be designated a ~~County~~ First Steps partnership, the ~~county or multi‑county~~ local partnership must be a private nonprofit corporation organized under Section 501(c)(3) of the Internal Revenue Code. ~~However, developing partnerships which have not yet received 501(c)(3) status may qualify for grants if they have received a state charter for incorporation and meet other criteria as established by the board.~~

(E) Multiple First Steps local partnerships may collaborate in a manner they determine will maximize the efficient and effective provision of First Steps services and programs to children and their families and best enable the partnerships to execute their duties and powers established in this chapter. In such a collaboration, partnerships may merge or work in concert with one or more of their program, administrative, or development functions or establish multicounty partnerships. The decision to collaborate in the manner permitted in this subsection rests entirely with the local partnership boards of directors involved.

(F) As a condition of receiving state funds, each local partnership must be subject to performance reviews by South Carolina First Steps, including, but not limited to, local board functioning and collaboration and compliance with state standards and fiscal accountability. If any significant operational deficiencies or misconduct are identified within the partnership, the South Carolina First Steps Board of Trustees must identify a remedy with input from the local legislative delegation.”

SECTION 13. Section 59‑152‑90 of the 1976 Code is amended to read:

“Section 59‑152‑90. (A) A local partnership’s grant may be funded annually by the First Steps School to Readiness Board of Trustees and must be contingent on the General Assembly’s appropriation of funds to use for offering grants.

(B) To obtain a grant, a ~~County~~ First Steps partnership ~~or developing partnership~~ must qualify by meeting the grant requirements established pursuant to subsection (C). A First Steps Partnership shall submit an application to the Office of First Steps in a format specified by the First Steps to School Readiness Board. The application shall include~~, as appropriate to the level of grant applied for,~~ the level of funding requested, a description of needs of children and families; assets and resources available; and the proposed strategies to address needs as they relate to the goals of South Carolina First Steps to School Readiness.

~~(B)~~ ~~To receive a Level One development of the collaborative effort, needs assessment, and strategic planning grant, the County First Steps Partnership must meet the criteria established by the First Steps to School Readiness Board including, but not limited to, total population covered by the partnership and quality of any pre‑exiting needs assessment and/or strategic plans for that geographic area.~~

~~(C)~~ ~~To receive a Level Two implementation/management grant for First Steps to School Readiness, a County First Steps Partnership must have completed a needs assessment and review by the First Steps to School Readiness Board and develop a comprehensive, long‑range plan to provide high quality early childhood development and education services. The plan must identify the needs of children and their families in the local area; assets and resources available; explain how supports and services are to be organized and delivered; establish measurable objectives and interim goals for meeting the local and state goals for First Steps; and an evaluation plan.~~

~~(D)~~ ~~In developing these plans, the First Steps Partnership must be given sufficient flexibility, but they must be accountable to the First Steps to School Readiness Board for fiscal management, program management, and program results.~~

(~~E~~C)(1) ~~The allocations for the grants shall take into consideration the quality of the grant proposal; the population of children birth to age five contained in the area served by the partnership; the percentage of students in grades 1‑3 who are eligible for the free and reduced price lunch program; average per capita income; and the area’s ability to support the strategic plan initiative. The criteria also shall take into account the standing of the geographical area covered by a county partnership in relation to the statewide Kids Count indicators. Priority must be given to strategic plans that incorporate models with demonstrated success.~~ Pursuant to 63‑11‑1730, the South Carolina First Steps to School Readiness Board of Trustees shall establish the grant qualification requirements. The board shall develop and promulgate grant qualification requirements in regulation pursuant to the Administrative Procedures Act. These requirements must include, but not be limited to, the following:

(a) adoption and adherence to bylaws promulgated by the South Carolina First Steps to School Readiness Board of Trustees, which includes, but is not limited to, compliance with the board composition, attendance, voting, and disclosure requirements;

(b) utilization of the South Carolina First Steps to School Readiness benchmarks and objectives;

(c) implementation of programs and activities, which are effective and contributing to state goals, and otherwise acceptable pursuant to the requirements of Chapter 152, Title 59; and

(d) fulfillment of all the duties in Section 59‑152‑70.

(2) The South Carolina First Steps to School Readiness Board of Trustees shall establish a formula, which includes the identification of the most relevant and effective factors, by which the allocations for qualifying Partnership grants are calculated. The board shall identify the factors, develop the funding formula, and promulgate both in regulation pursuant to the Administrative Procedures Act. The factors utilized in the funding formula, and the weight given to each factor by the formula, must reflect that the intent of the General Assembly is to ensure that the money allocated to each local partnership is in proportion to the following:

(a) population of eligible children;

(b) population of at‑risk children; and

(c) population with below average income.

(3) First Steps shall include the grant qualification requirements and funding formula on its website. The website information shall include formula details, announcements regarding proposed changes to the formula, and directions for public input.

(E) In conjunction with the independent external program evaluation established pursuant to Section 59‑152‑160, the board of trustees shall conduct a formal review of the grant qualification requirements and funding process adopted pursuant to subsections (C) and (D) and, upon completion of the review, shall submit to the General Assembly a statement either verifying the continued applicability and appropriateness of the grant qualification requirements and funding process in use at that time or recommending any appropriate and necessary changes

(F) Funding must reflect the combined total allocations of the coverage area of a multicounty partnership.”

SECTION 14. Section 59‑152‑100 of the 1976 Code is amended to read:

“Section 59‑152‑100. (A) Grant funds expended by First Steps partnerships must be used to address the needs of young children and their families as identified in the partnerships’ comprehensive plans. The funds must be used to expand, extend, or improve the quality of provided services if there is evidence as to existing programs’ effectiveness; offer new or previously unavailable services in the area; or increase access to services. Partnership grant funds may not supplant comparable current expenditures by counties or state agencies on behalf of young children and their families, and may not be used where other state or federal funding sources are available. Partnerships are expected to collaborate with other community organizations or entities expending funds on early childhood services designed to impact school readiness in order to maximize impact and minimize duplication of efforts.

(B) At least seventy‑five percent of state funds appropriated for programs must be used by the local partnership for evidence‑based programs. Not more than twenty‑five percent of state funds appropriated for programs to a local partnership may be used for evidence‑informed programs.

(C) All activities and services provided by a ~~First Steps~~ local partnership must be made available to young children and families on a voluntary basis and must focus ~~on the following:~~

~~(1)~~ ~~lifelong learning:~~

~~(a)~~ ~~school readiness;~~

~~(b)~~ ~~parenting skills;~~

~~(c)~~ ~~family literacy; and~~

~~(d)~~ ~~adult and continuing education.~~

~~(2)~~ ~~health care:~~

~~(a)~~ ~~nutrition;~~

~~(b)~~ ~~affordable access to quality age‑appropriate health care;~~

~~(c)~~ ~~early and periodic screenings;~~

~~(d)~~ ~~required immunizations;~~

~~(e)~~ ~~initiatives to reduce injuries to infants and toddlers; and~~

~~(f)~~ ~~technical assistance and consultation for parents and child care providers on health and safety issues.~~

~~(3)~~ ~~quality child care:~~

~~(a)~~ ~~staff training and professional development incentives;~~

~~(b)~~ ~~quality cognitive learning programs;~~

~~(c)~~ ~~voluntary accreditation standards;~~

~~(d)~~ ~~accessibility to quality child care and development resources; and~~

~~(e)~~ ~~affordability.~~

~~(4)~~ ~~transportation:~~

~~(a)~~ ~~coordinated service;~~

~~(b)~~ ~~accessibility;~~

~~(c)~~ ~~increased utilization efficiency; and~~

~~(d)~~ ~~affordability~~ solely on ‘school readiness’ as defined in Section 59‑152‑25 by implementing programs geared specifically toward the achievement of First Steps goals pursuant to Section 59‑152‑30.

(~~B~~D) Any part of the initiative within the county strategic plan using local district resources within a school district must be conducted only with approval of the district’s board of trustees.”

SECTION 15. Section 59‑152‑120 of the 1976 Code is amended to read:

“Section 59‑152‑120. Funds received ~~for implementation of a county partnership’s implementation/management grant~~ by a local partnership may not be used for capital expenses ~~for~~, new construction, or to renovate, refurbish, or upgrade existing facilities without prior approval by the South Carolina First Steps to School Readiness Board of Trustees. ~~However, funds may be made available for renovating, refurbishing, or upgrading of existing facilities used to support First Steps to School Readiness activities and services for children, families, and providers from funds made available to the partnerships in Section 59‑152‑150(C) and Section 63‑11‑1750(A). The county partnership must demonstrate to the satisfaction of the First Steps to School Readiness Board that the capital expenditure is:~~

~~(1)~~ ~~a priority need for the local initiative and other state or federal funds for such projects are insufficient; and~~

~~(2)~~ ~~necessary to provide services to under‑served children and families.~~”

SECTION 16. Section 59‑152‑130 of the 1976 Code is amended to read:

“Section 59‑152‑130. (A) ~~The County First Steps~~ Local partnerships shall provide an annual match of at least fifteen percent, to include private donations, grant funds, and in‑kind donated resources, or any combination of them. The South Carolina First Steps to School Readiness Board of Trustees may decrease this percentage requirement for a partnership based on their capacity to provide that match. ~~Private~~ The First Step partnership shall encourage private individuals and groups ~~must be encouraged~~ to contribute to a partnership’s efforts to meet its match. The match required of individual partnerships by the First Steps board should take into consideration such factors as:

(1) local wealth, using such indicators as the number and percentage of children eligible for free and reduced lunches in grades 1‑3; and

(2) in‑kind donated resources.

Only in‑kind donations, as defined by the standard fiscal accountability system provided for in Section 59‑152‑~~140~~150, which meet the criteria established by the South Carolina First Steps to School Readiness Board of Trustees and that are quantifiable may be applied to the in‑kind match requirement. ~~Expenses, including those paid both by cash and through in‑kind contributions, incurred by other nonstate entities participating in county partnerships may be included in determining matching funds.~~

(B) The Office of ~~the~~ South Carolina First Steps to School Readiness shall establish guidelines and reporting formats for ~~county~~ partnerships to document expenses to ensure they meet matching fund requirements. The office shall compile a report annually on the private cash and in‑kind contributions received by the South Carolina First Steps to School Readiness Board of Trustees and ~~County~~ First Steps partnerships.”

SECTION 17. Section 59‑152‑140 of the 1976 Code is amended to read:

“Section 59‑152‑140. To ensure effective use of funds, awards under contract for ~~County~~ First Steps Partnerships, with the approval of the Office of First Steps to School Readiness, may be carried forward and used in the following fiscal year. Funds appropriated to South Carolina First Steps to School Readiness may also be carried forward into subsequent years.”

SECTION 18. Section 59‑152‑150 of the 1976 Code is amended to read:

“Section 59‑152‑150. (A) The Office of South Carolina First Steps to School Readiness shall develop and require local partnerships to adopt and implement a standard fiscal accountability system including, but not limited to, a uniform, standardized system of accounting, internal controls, payroll, fidelity bonding, chart of accounts, and contract management and monitoring. Additionally, the accountability system shall require competitive bids for the purchase or procurement of goods and services of ten thousand dollars or more. A bid other than the lowest bid may be accepted by a majority vote of the ~~county~~ partnership board if other considerations outweigh the cost factor; however, written justification must be filed with the Office of First Steps. The Office of First Steps may contract with outside firms to develop and ensure implementation of this standard fiscal accountability system, and the Office of First Steps may inspect fiscal and program records of ~~county~~ partnerships and developing partnerships to ensure their compliance with the required system. The Office of First Steps may contract with a state entity with existing means for developing contracts and disbursing funds in order to make use of the existing infrastructure, if it is efficient and not administratively burdensome to partnerships.

(B) Each ~~County~~ local First Steps partnership shall expend funds through the South Carolina First Steps to School Readiness Board of Trustees or its fiscal designees until the capacity of the ~~County First Steps~~ local partnership to manage its fiscal and administrative responsibilities in compliance with the standard accountability system has been reviewed and certified by the South Carolina First Steps to School Readiness Board of Trustees or its designee.

(C) All private and non‑state funds sought by local partnerships must be used exclusively for meeting the goals and purpose of First Steps as specified in Section 59‑152‑20 and Section 59‑152‑30. Private funds received by a ~~County~~ First Steps partnership must be deposited in a separate fund subject to review by the Office of First Steps and the State Board.

(D) Disbursements may be made only on the written authorization of the individual designated by the ~~county~~ partnership board and only for the purposes specified. A person violating this section is guilty of a misdemeanor and, upon conviction, must be fined five thousand dollars or imprisoned for six months, or both.

(E) The offenses of misuse, misappropriation, and embezzlement of public funds, apply to this chapter.”

SECTION 19. Section 59‑125‑160 of the 1976 Code is amended to read:

“Section 59‑125‑160. (A) The South Carolina First Steps to School Readiness Board of Trustees shall establish internal evaluation policies and procedures for ~~County First Steps~~ local partnerships for an annual review of the functioning of the partnership, implementation of strategies, and progress toward the interim goals and benchmarks. In instances where no progress has been made, the Office of First Steps to School Readiness shall provide targeted assistance and/or the South Carolina First Steps to School Readiness Board of Trustees may terminate the grant. ~~In addition, a program evaluation of The First Steps to School Readiness initiatives at the state and local levels must be conducted every three years~~ An independent evaluation of each prevalent program investment using valid and reliable measures must be completed and published by the First Steps Board of Trustees no less than every five years. The First Steps board shall adopt a cyclical evaluation calendar including each major program investment no later than June 30, 2015. After publication of a baseline report for each major program investment as defined in Section 59‑152‑25, subsequent reports will be published no later than five calendar years from the date of each prior publication. In addition to the independent evaluation of each prevalent program, an evaluation of the progress on the initiative’s goals and purpose must be completed by November 1, 2014, and every five years thereafter by an independent, external evaluator under contract with the South Carolina First Steps to School Readiness Board of Trustees. ~~However, the selected evaluator shall be approved, and the evaluation overseen, by a committee consisting of three members, one appointed by the First Steps Board, one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House. These committee members must be professionally recognized as proficient in child development, early childhood education, or a closely related field. The first report shall be provided no later than January 1, 2003.~~ The purpose of this evaluation will be to gauge First Steps’ progress in meeting the goals established in Section 59‑152‑20 and Section 59‑52‑30.

(B) ~~County First Steps~~ Local partnerships must agree to participate in such an evaluation in order to receive a First Steps grant. Subsequent grant approval and grant allocations must be dependent, in part, on the results of the evaluations. If an evaluation finds no progress has been made in meeting local goals or implementing strategies as agreed to in the First Steps grant, the grant ~~must~~ may be terminated.

(C) The purpose of the evaluation is to assess progress toward achieving the First Steps goals and to determine the impact of ~~the initiative on children and families at the state and local levels~~ each strategy in supporting improved school readiness as defined in Section 52‑152‑15. The impact assessment shall include, but is not limited to, school readiness measures; benefits from child development services; immunization status; low birth‑weight rates; parent literacy; parenting skills; parental involvement; transportation; and developmental screening results. During the course of the evaluation, if an evaluator determines that any state agency has failed to comply with the coordination and collaboration provisions as required in this chapter, the final report must reflect that information. ~~Program~~ Each program evaluation ~~reports~~ report must be reported to the General Assembly no later than three months after conclusion of the evaluation. ~~All County First Steps~~ Local partnerships shall cooperate fully in collecting and providing data and information for the evaluation of their funded strategies.”

SECTION 20. Section 63‑11‑1720 of the 1976 Code is amended to read:

“Section 63‑11‑1720. (A) There is created the South Carolina First Steps to School Readiness Board of Trustees which must be chaired by the Governor, or his designee, and must include the State Superintendent of Education, or his designee, who shall serve as ex officio voting members of the board. ~~The board is composed of the twenty appointed, voting members as follows:~~

(B) In making the appointments specified in subsection (C)(1), (2), and (3) of this chapter, the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives shall seek to ensure diverse geographical representation on the board by appointing individuals from each congressional district as possible.

(C) The board shall include members appointed in the following manner:

(1) The Governor shall appoint ~~two members~~ one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators;

(d) medical ~~or child care and development~~ providers; ~~and~~

(e) child care and development providers; and

(~~e~~f) the General Assembly, one member from the Senate and one member from the House of Representatives.

(2) The President Pro Tempore of the Senate shall appoint one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators; and

(d) medical or child care and development providers.

(3) The Speaker of the House of Representatives shall appoint one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators; and

(d) medical or child care and development.

(4) The chairman of the Senate Education Committee or his designee.

(5) The chairman of the House Education and Public Works Committee or his designee.

(6) The chief executive officer of each of the following shall serve as an ex officio ~~nonvoting~~ voting member:

(a) Department of Social Services ~~or his designee~~;

(b) Department of Health and Environmental Control ~~or his designee~~;

(c) Department of Health and Human Services ~~or his designee~~;

(d) ~~Department of Mental Health or his designee;~~

~~(e)~~ Department of Disabilities and Special Needs ~~or his designee~~;

(~~f~~) ~~Department of Alcohol and Other Drug Abuse Services or his designee;~~

~~(g)~~ ~~Department of Transportation or his designee;~~

~~(h)~~ ~~State Budget and Control Board, Division of Research and Statistics or his designee; and~~

~~(i)~~ ~~State Board for Technical and Comprehensive Education~~

(e) State Head Start Collaboration Officer; and

(f) Children’s Trust of South Carolina.

~~(7)~~ ~~The following organizations shall designate one member to serve as an ex officio nonvoting member:~~

~~(a)~~ ~~South Carolina State Library;~~

~~(b)~~ ~~Transportation Association of South Carolina; and~~

~~(c)~~ ~~State Advisory Committee on the Regulation of Childcare Facilities.~~

(~~B~~D) The terms of the members are for four years and until their successors are appointed and qualify~~, except of those first appointed~~. ~~When making the initial appointments, the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives shall designate half of their appointments to serve two‑year terms only.~~ The appointments of the members from the General Assembly shall be coterminous with their terms of office.

(~~C~~E) Vacancies for any reason must be filled in the manner of the original appointment for the unexpired term. A member may not serve more than two terms or eight years, whichever is longer. A member who misses more than three consecutive meetings without excuse or a member who resigns must be replaced in the same manner as his predecessor. Members may be paid per diem, mileage, and subsistence as established by the board not to exceed standards provided by law for boards, committees, and commissions. A complete report of the activities of the First Steps to School Readiness Board of Trustees must be made annually to the General Assembly.”

SECTION 21. Section 63‑11‑1730 of the 1976 Code is amended to read:

“Section 63‑11‑1730. To ~~carry out its assigned functions, the board is authorized, but not limited to~~ oversee and be accountable for the South Carolina First Steps to School Readiness Initiative, in accordance with the APA, the board shall:

(1) develop and promulgate a comprehensive long‑range initiative for improving early childhood development and increasing school readiness and literacy, which shall include the specific requirements of Chapter 152, Title 59;

(2) in accordance with the APA, promulgate regulations, establish guidelines, policies and procedures for the continued implementation of the South Carolina First Steps to School Readiness initiative;

(3) provide oversight on the continued implementation and evaluation of the South Carolina First Steps to School Readiness initiative at the state and ~~county~~ local levels;

(4) ~~facilitate and direct the establishment of developing County First Steps Partnerships and establish the criteria for designation of County First Steps Partnerships;~~

~~(5)~~ establish ~~criteria and procedures for awarding state First Steps grants to County First Steps Partnerships~~ and promulgate grant qualification requirements and a formula by which allocations for qualifying partnership grants shall be calculated;

(~~6~~5) ~~provide~~ ensure the provision of technical assistance, consultation services and support to ~~County~~ First Steps Partnerships including: the creation and annual revision of county needs assessments; the prioritization, implementation, and evaluation of each First Steps Partnership’s strategic plans based on needs assessments; and the identification of assets from other funding sources;

(~~7~~6) assess and develop recommendations: for ensuring coordination and collaboration among service providers at both the state and county level, for increasing the efficiency and effectiveness of state programs and funding and other programs and funding sources, as allowable, as necessary to carry out the First Steps to School Readiness initiative, including additional fiscal strategies, redeployment of state resources, and development of new programs;

(~~8~~7) establish ~~results oriented~~ and promulgate results‑oriented measures and objectives and assess whether services provided by ~~County~~ First Steps Partnerships to children and families are meeting the goals and achieving the results established for the First Steps initiative pursuant to Chapter 152, Title 59;

(~~9~~8) receive gifts, bequests, and devises for deposit for awarding grants to First Steps Partnerships; ~~and~~

(~~10~~9) report annually to the General Assembly by January first on activities and progress to include recommendations for changes and legislative initiatives and results of program evaluations;

(10) establish and promulgate internal policies and procedures to allow the board to operate optimally, which shall include, but not be limited to, an established and consistent process for decision making;

(11) develop, implement, and document an annual performance process for the Director of the Office of South Carolina First Steps;

(12) establish and promulgate bylaws for adoption by local First Steps Partnerships;

(13) establish and promulgate internal evaluation policies and procedures for local partnerships for annual review pursuant to Chapter 152, Title 59; and

(14) arrange for the conduction of an independent external program evaluation pursuant to Chapter 152, Title 59.”

SECTION 22. Section 1‑5‑40(A) of the 1976 Code is amended by adding an item at the end to read:

“(107) South Carolina First Steps to School Readiness Board of Trustees.”

SECTION 23. Sections 59‑152‑80 and 59‑152‑110 of the 1976 Code are repealed.

SECTION 24. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill, as amended.

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

**Ayes 40; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie *Martin, Larry* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

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

**H. 3428--Ordered to a Third Reading**

On motion of Senator SETZLER, H. 3428 was ordered to receive a third reading on Thursday, June 5, 2014.

**ACTING PRESIDENT PRESIDES**

Senator LARRY MARTIN assumed the Chair.

**AMENDED, READ THE SECOND TIME**

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12‑43‑225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

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

Senator LEATHERMAN proposed the following amendment (DKA\4944C003.DKA.DG14), which was adopted:

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

/ SECTION 1. Section 12‑43‑225(D) of the 1976 Code is amended to read:

“(D) (1) For lots which received the discount provided in subsection (B) on December 31, 2011, there is granted ~~an~~ additional ~~three years of~~ eligibility for that discount in property tax ~~years~~ year 2012~~, 2013, and 2014~~ through and including property tax year 2017, in addition to any remaining period provided for in subsection (B). If ten or more lots receiving the discount under this item are sold to a new owner primarily in the business of real estate development, the new owner may make written application within sixty days of the date of sale to the assessor for the remaining eligibility period under this item.

(2) For lots which received the discount provided in subsection (C) after December 31, 2008, and before January 1, 2012, upon written application to the assessor no later than thirty days after mailing of the property tax bill, there is granted ~~an~~ additional ~~three years of~~ eligibility for that discount in property tax ~~years~~ year 2012~~, 2013, and 2014~~ through and including property tax year 2017. If a lot receiving the additional eligibility under this item is transferred to a new owner primarily in the business of residential development or residential construction during its eligibility period, the new owner may apply to the county assessor for the discount allowed by this item for the remaining period of eligibility, which must be allowed if the new owner applied for the discount within thirty days of the mailing of the tax bill and meets the other requirements of this section.”

SECTION 2. This act takes effect upon approval by the Governor and applies to property tax years beginning after 2013. /

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 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 3014 -- Reps. J.E. Smith, Bernstein, M.S. McLeod, McEachern, Weeks, Hart and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE “VETERANS TREATMENT COURT PROGRAM ACT”, TO REQUIRE THE CREATION AND ADMINISTRATION OF A VETERANS TREATMENT COURT PROGRAM IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A VETERANS TREATMENT COURT JUDGE, AND TO PROVIDE FOR REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A VETERANS TREATMENT COURT PROGRAM.

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 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

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

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 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4612 -- Reps. Bales and Whipper: A BILL TO AMEND SECTION 56‑5‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF THE STATE’S UNIFORM TRAFFIC LAWS UPON THE STATE’S POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT A POLITICAL SUBDIVISION OF THE STATE THAT ENACTS AN ORDINANCE, RULE, OR REGULATION THAT IMPOSES A FINE FOR AN OFFENSE THAT EXCEEDS THE FINE IMPOSED BY A SIMILAR OFFENSE CONTAINED IN THIS CHAPTER MAY NOT COLLECT AN AMOUNT THAT EXCEEDS THE MAXIMUM FINE CONTAINED IN THE SIMILAR OFFENSE CONTAINED IN THIS CHAPTER.

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

Senator HUTTO asked unanimous consent to carry over all amendments to third reading and to waive the provisions of Rule 26B.

There was no objection.

The question then was second reading of the Bill.

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

**Ayes 41; Nays 1**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

Bryant

**Total--1**

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

**MINORITY REPORT REMOVED**

H. 3827 -- Reps. Pitts and Loftis: A BILL TO AMEND SECTION 44‑1‑60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUESTS FOR FINAL REVIEW OF DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DECISIONS BY THE DEPARTMENT BOARD, SO AS TO PROVIDE THAT A PARTY MAY REQUEST A CONTESTED CASE HEARING ON A DEPARTMENT DECISION BEFORE THE ADMINISTRATIVE LAW COURT OR MAY REQUEST A REVIEW OF THE DEPARTMENT DECISION BY THE BOARD; TO PROVIDE THAT IF A REVIEW BY THE BOARD IS REQUESTED, THE BOARD HAS SIXTY DAYS WITHIN WHICH TO CONDUCT ITS REVIEW AND ISSUE A DETERMINATION WHICH BECOMES THE FINAL AGENCY DECISION UNLESS A REQUEST FOR A CONTESTED CASE HEARING IS REQUESTED BEFORE THE ADMINISTRATIVE LAW COURT; TO PROVIDE THAT IF A CONTESTED CASE HEARING IS REQUESTED, THE PARTY MAY REQUEST THE ADMINISTRATIVE LAW COURT TO REMAND THE CASE TO THE BOARD FOR FURTHER REVIEW; TO PROVIDE THAT UPON REMAND, THE BOARD HAS SIXTY DAYS WITHIN WHICH TO CONDUCT ITS REVIEW AND ISSUE A STATEMENT WITH THE ADMINISTRATIVE LAW COURT AND THE PARTIES PROVIDING REVISIONS OR MODIFICATIONS, IF ANY, MADE TO THE DEPARTMENT DECISION; AND TO PROVIDE THAT IF AN EMERGENCY ORDER IS ISSUED BY THE DEPARTMENT, THE PERSON AGAINST WHOM IT IS ISSUED MAY APPLY TO THE ADMINISTRATIVE LAW COURT FOR RELIEF AND MUST BE AFFORDED A HEARING WITHIN FORTY-EIGHT HOURS.

Senator SCOTT asked unanimous consent to remove his name from the minority report of the Bill.

There was no objection and proper notation was made on the Bill.

**CARRIED OVER**

S. 412 -- Senators Thurmond, Lourie, Hayes, McElveen, Turner and Rankin: A BILL TO AMEND SECTION 8-13-1308 OF THE 1976 CODE, RELATING TO THE CONTENTS OF CERTIFIED CAMPAIGN REPORTS OF CANDIDATES AND COMMITTEES, AND TO AMEND SECTION 8-13-1309, RELATING TO THE CONTENTS OF CERTIFIED CAMPAIGN REPORTS OF BALLOT MEASURE COMMITTEES, TO REQUIRE A CANDIDATE OR COMMITTEE OR BALLOT MEASURE COMMITTEE TO ELECTRONICALLY REPORT DURING THE TWENTY DAY PERIOD PRIOR TO AN ELECTION THE RECEIPT OF A CONTRIBUTION FROM A PERSON THAT EXCEEDS TWO HUNDRED FIFTY DOLLARS BY A SINGLE CONTRIBUTION OR WHEN COMBINED WITH ALL OTHER CONTRIBUTIONS MADE DURING THE PERIOD.

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

H. 5040 -- Reps. R.L. Brown, Knight, Hodges, Sellers, Bowers and W.J. McLeod: A BILL TO AMEND SECTION 51‑13‑1720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF REGENTS FOR THE OLD JACKSONBOROUGH HISTORIC DISTRICT AUTHORITY, SO AS TO REDUCE THE BOARD TO SEVEN MEMBERS, AND TO CHANGE THE MANNER IN WHICH TWO APPOINTMENTS ARE MADE.

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

**OBJECTION**

H. 3959 -- Reps. Kennedy, Quinn, Spires, Huggins, Atwater, Bingham, Delleney, Felder, Finlay, D.C. Moss, Norman, Pope, Sellers, Simrill, Tallon, Weeks, Wood and Whipper: A BILL TO AMEND SECTION 16-15-395, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE; TO AMEND SECTION 16‑15‑405, AS AMENDED, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE AND INCREASE THE MAXIMUM PENALTY FROM TEN TO FIFTEEN YEARS; AND TO AMEND SECTION 16‑15‑410, AS AMENDED, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE.

Senator MALLOY objected to the Bill.

**CARRIED OVER**

H. 4020 -- Rep. Allison: A JOINT RESOLUTION TO PROVIDE THAT ACT 99 OF 1999, THE SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS ACT, IS REAUTHORIZED UNTIL JULY 1, 2014.

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

H. 3236 -- Reps. Sellers, J.E. Smith, W.J. McLeod, Whipper, R.L. Brown and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑185 SO AS TO ENACT THE “CERVICAL CANCER PREVENTION ACT”, TO PROVIDE THAT BEGINNING WITH THE 2013-2014 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE “CERVICAL CANCER VACCINATION SERIES”, AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

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

S. 1019 -- Senators Cleary, Campbell and Alexander: A SENATE RESOLUTION TO COMMEND AND SUPPORT THE DEMOCRATIZATION EFFORTS OF TAIWAN AND THE NATION’S MEANINGFUL PARTICIPATION IN THE WORLD HEALTH ORGANIZATION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, AND OTHER INTERNATIONAL ORGANIZATIONS, AND TO EXTEND MOST SINCERE BEST WISHES FOR CONTINUED COOPERATION AND SUCCESS.

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

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

**MOTION ADOPTED**

At 6 :15 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**Motion Failed**

Senator LOURIE moved that the Senate stand adjourned.

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

**Ayes 9; Nays 32**

**AYES**

Bryant Cleary Hutto

Lourie *Martin, Shane* Massey

Peeler Shealy Turner

**Total--9**

**NAYS**

Alexander Allen Bennett

Bright Campbell Campsen

Coleman Corbin Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Kimpson

Leatherman *Martin, Larry* McElveen

McGill Nicholson O'Dell

Pinckney Reese Scott

Setzler Thurmond Verdin

Williams Young

**Total--32**

The Senate refused to stand adjourned.

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**S. 940--CONFERENCE COMMITTEE APPOINTED**

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

Whereupon, Senators SETZLER, O’DELL and YOUNG were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**S. 999--REPORT OF THE**

**COMMITTEE OFCONFERENCE ADOPTED**

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

On motion of Senator ALEXANDER, the Report of the Committee of Conference was taken up for immediate consideration.

Senator ALEXANDER spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The Report of the Committee of Conference was adopted as follows:

**S. 999--Conference Report**

The General Assembly, Columbia, S.C., June 4, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

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

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

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

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

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

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

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

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

Amend title to conform.

/s/Sen. Thomas C. Alexander /s/Rep. Phillip D. Owens

/s/Sen. Lawrence K. Grooms /s/Rep. Mark N. Willis

/s/Sen. Clementa C. Pinckney /s/Rep. R.L. Brown

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**S. 825--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

S. 825 -- Senators Alexander and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING.

On motion of Senator ALEXANDER, the Senate insisted upon its amendments to S. 825 and asked for a Committee of Conference.

Whereupon, Senators ALEXANDER, DAVIS and MALLOY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 4, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. G.M. Smith, Limehouse and J.E. Smith to the Committee of Conference on the part of the House on:

S. 825 -- Senators Alexander and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING.

Very respectfully,

Speaker of the House

Received as information.

**H. 4560--CONFERENCE COMMITTEE APPOINTED**

H. 4560 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

Whereupon, Senators MASSEY, ALLEN and THURMOND were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**S. 459--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

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

On motion of Senator RANKIN, the Report of the Committee of Conference was taken up for immediate consideration.

Senator RANKIN spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

**Ayes 42; Nays 2**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Corbin

**Total--2**

The Report of the Committee of Conference was adopted as follows:

**S. 459--Conference Report**

The General Assembly, Columbia, S.C., June 3, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

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

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Article 31, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑3890. (A) For purposes of this section:

(1) ‘Hands‑free wireless electronic communication device’ means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person without holding the device in either hand by utilizing an internal feature or function of the device, an attachment, or an additional device. A hands‑free wireless electronic communication device may require the use of either hand to activate or deactivate an internal feature or function of the device.

(2) ‘Text‑based communication’ means a communication using text‑based information, including, but not limited to, a text message, an SMS message, an instant message, or an electronic mail message.

(3) ‘Wireless electronic communication device’ means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person.

(B) It is unlawful for a person to use a wireless electronic communication device to compose, send, or read a text‑based communication while operating a motor vehicle on the public streets and highways of this State.

(C) This section does not apply to a person who is:

(1) lawfully parked or stopped;

(2) using a hands‑free wireless electronic communication device;

(3) summoning emergency assistance;

(4) transmitting or receiving data as part of a digital dispatch system;

(5) a public safety official while in the performance of the person’s official duties; or

(6) using a global positioning system device or an internal global positioning system feature or function of a wireless electronic communication device for the purpose of navigation or obtaining related traffic and road condition information.

(D)(1) A person who is adjudicated to be in violation of the provisions of this section must be fined not more than twenty‑five dollars, no part of which may be suspended. No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A person must not be fined more than fifty dollars for any one incident of one or more violations of the provisions of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Notwithstanding Section 56‑1‑640, a violation of this section must not be:

(a) included in the offender’s motor vehicle records maintained by the Department of Motor Vehicles or in the criminal records maintained by SLED; or

(b) reported to the offender’s motor vehicle insurer.

(2) During the first one hundred eighty days after this section’s effective date, law enforcement officers shall issue only warnings for violations of this section.

(E) A law enforcement officer shall not:

(1) stop a person for a violation of this section except when the officer has probable cause that a violation has occurred based on the officer’s clear and unobstructed view of a person who is using a wireless electronic communication device to compose, send, or read a text‑based communication while operating a motor vehicle on the public streets and highways of this State;

(2) seize, search, view, or require the forfeiture of a wireless electronic communication device because of a violation of this section;

(3) search or request to search a motor vehicle, driver, or passenger in a motor vehicle, solely because of a violation of this section; or

(4) make a custodial arrest for a violation of this section, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine.

(F) The Department of Public Safety shall maintain statistical information regarding citations issued pursuant to this section.

(G) This section preempts local ordinances, regulations, and resolutions adopted by municipalities, counties, and other local government entities regarding persons using wireless electronic communication devices while operating motor vehicles on the public streets and highways of this State.”

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

Amend title to conform.

/s/Sen. Luke A. Rankin /s/ Rep. Phillip D. Owens

/s/Sen. Vincent A. Sheheen  /s/ Rep. Joseph S. Daning

/s/Sen. A. Shane Massey /s/Rep. Lester P. Branham, Jr.

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 4, 2014

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

**ACTING PRESIDENT PRESIDES**

Senator CROMER assumed the Chair.

**ENROLLED FOR RATIFICATION**

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

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CONCURRENCE**

H. 4701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

On motion of Senator LEATHERMAN, with unanimous consent, the Bill was taken up for immediate consideration.

Senator LEATHERMAN explained the amendments.

Senator BRYANT spoke on the amendments.

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

**Ayes 34; Nays 10**

**AYES**

Alexander Allen Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hutto Jackson

Johnson Kimpson Leatherman

Lourie *Martin, Larry* McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Sheheen Verdin

Williams

**Total--34**

**NAYS**

Bennett Bright Bryant

Corbin Hembree *Martin, Shane*

Massey Thurmond Turner

Young

**Total--10**

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

**CONCURRENCE**

H. 4702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2013‑2014, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

On motion of Senator LEATHERMAN, with unanimous consent, the Joint Resolution was taken up for immediate consideration.

Senator LEATHERMAN explained the amendments.

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

**Ayes 36; Nays 7**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

McElveen McGill Nicholson

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Sheheen Turner

Verdin Williams Young

**Total--36**

**NAYS**

Bright Bryant Corbin

Hutto *Martin, Shane* Massey

Thurmond

**Total--7**

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

**CONCURRENCE**

S. 474 -- Senator Setzler: A BILL TO AMEND SECTION 12‑21‑2420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE ADMISSIONS LICENSE TAX, SO AS TO EXEMPT ADMISSIONS CHARGED BY THE STATE MUSEUM.

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

Senator SETZLER explained the amendments.

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

**CARRIED OVER**

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

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

**Amendment No. RFH-1**

Senator SHANE MARTIN proposed the following amendment (SWB\1070C003.SWB.CM14):

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

/ SECTION 1. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑525. The department may promulgate regulations for wildlife management areas, heritage trust lands, and other properties owned or leased by the department to establish seasons, dates, areas, bag limits, and other restrictions for hunting and taking wild turkey.”

SECTION 2. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑580. (A) Notwithstanding the provisions of Section 50‑11‑520 or any other provision of law or regulation, the season for hunting and taking a male wild turkey is March 20 through May 5.

(B) The Saturday and Sunday preceding March 20 of each year is declared to be ‘South Carolina Youth Turkey Hunt Weekend’. A person less than eighteen years of age may be considered to be a youth hunter, and the license and permit requirements for hunting turkey are waived for youth hunters during this period. However, a youth turkey hunter must possess a turkey transportation tag and is limited to taking one turkey during the two‑day period. A licensed hunter at least twenty‑one years of age must accompany a youth hunter in the field and may not harvest or attempt to harvest turkey during this special hunting period, but is permitted to call turkeys for the youth. The licensed hunter that accompanies the youth must have all licenses, permits, and tags required to hunt turkey.

(C) The season bag limit per person for male wild turkeys is three which may be taken with archery equipment or any lawful firearm and ammunition. An individual also may obtain an archery only turkey tag allowing them to take one additional male wild turkey during the open season by means of archery equipment only. The bag limits contained in this section are statewide unless otherwise specified by regulation.”

SECTION 3. Section 50‑11‑530 of the 1976 Code is amended to read:

“Section 50‑11‑530. The department may~~, at its discretion, prescribe methods by which turkeys may be taken in each game zone and may fix the specific areas of the zones in which turkeys have become numerous enough to be harvested. The department may designate the sex of the turkeys that may be taken and may prescribe any other~~ promulgate emergency regulations considered necessary and expedient for the proper control of the harvesting of wild turkeys in the game zones.”

SECTION 4. Section 50‑11‑540 of the 1976 Code is amended to read:

“Section 50‑11‑540. Any person taking, attempting to take, or having in his possession turkey illegally or taking, attempting to take, or killing turkey in any way not prescribed by the department is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars nor more than ~~one~~ five hundred dollars or imprisoned for not more than thirty days. In addition, a person taking a wild turkey unlawfully must be required to make restitution to the department in the amount of up to five hundred dollars for each bird taken. In addition, a person convicted of taking a wild turkey illegally forfeits hunting and fishing privileges for one year for each bird taken.”

SECTION 5. Section 50‑11‑544 of the 1976 Code is amended to read:

“Section 50‑11‑544. A person who hunts wild turkeys is required to possess a set of wild turkey transportation tags issued by the department at no cost. All turkeys taken must be tagged before being moved from the point of kill. All tags must be validated as prescribed by the department before a turkey is moved from the point of kill. No person may obtain or possess more than one set of turkey tags.”

SECTION 6. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑545. All wild turkeys taken shall be accurately reported by the taker or in the taker’s immediate presence by 10:00 p.m. on the day taken through a Telecheck Harvest Reporting System operated by the department. The Telecheck confirmation number shall be recorded immediately on the turkey transportation tag issued pursuant to Section 50‑11‑544. All turkeys shall be reported through the Telecheck Harvest Reporting System prior to processing or being removed from the state.”

SECTION 7. The Telecheck Harvest Reporting System operated by the Department of Natural Resources shall be used to track turkey harvests in lieu of the turkey harvest mail‑in survey currently being used by the department. The department shall develop the system in 2015. The system shall be implemented in time to be used for the 2016 and 2017 turkey seasons.

SECTION 8. (A) The Department of Natural Resources must provide an annual report of the wild turkey resources in South Carolina to the chairmen of the Senate Fish, Game and Forestry Committee and House Agriculture and Natural Resources Committee. The annual report must include information and analysis of current and prospective hen‑to‑tom ratios; the necessity of a fall hen season; the necessity of an archery season with separate dates and bag limits; and the necessity of imposing reduced limits and increased privilege fees for non‑resident turkey hunters.

(B) Within one‑hundred and eighty days of the conclusion of the third turkey season following the effective date of this law, the department must conduct a final analysis of the wild turkey resources in South Carolina and provide a report recommending any changes to the wild turkey season and bag limits to the chairmen of the Senate Fish, Game and Forestry Committee and House Agriculture and Natural Resources Committee. The department’s report must include the information specified in item (A) of this section. It must also include and make recommendations based upon data yielded from the Telecheck Harvest Reporting system operated during 2016 and 2017 wild turkey hunting seasons.

(C) Subsection (A) is repealed when the department provides the final report required by item (B).

SECTION 9. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 10. This act takes effect upon approval by the Governor. Provided, upon the effective date of this act until November 7, 2017, the provisions of Section 50‑11‑520 are suspended. On November 7, 2017, the turkey hunting seasons and bag limits in effect for the respective counties prior to the effective date of this Act and delineated in Section 50‑11‑520 are effective, and Sections 50‑11‑545 and 50‑11‑580 are repealed. /

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN spoke the amendment.

Senator CAMPSEN spoke the amendment.

Senator GROOMS spoke on the amendment.

**Motion Adopted**

Senator GROOMS moved to carry over the Bill.

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

**Ayes 32; Nays 7**

**AYES**

Allen Bennett Bright

Campbell Campsen Cleary

Coleman Corbin Cromer

Davis Gregory Grooms

Hayes Hembree Jackson

Johnson Kimpson Leatherman

*Martin, Larry Martin, Shane* McElveen

McGill Nicholson O'Dell

Pinckney Reese Scott

Setzler Shealy Thurmond

Verdin Williams

**Total--32**

**NAYS**

Bryant Hutto Lourie

Massey Peeler Turner

Young

**Total--7**

The Bill was carried over.

**NONCONCURRENCE**

S. 535 -- Senators Peeler, Alexander, L. Martin, McGill, Coleman, Jackson, Campbell, Setzler, Cromer, O’Dell, Sheheen, Turner, Fair, Ford, Nicholson, Hayes and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 119, TITLE 59, ENACTING THE “CLEMSON UNIVERSITY ENTERPRISE ACT”, SO AS TO ALLOW THE BOARD OF TRUSTEES OF CLEMSON UNIVERSITY BY RESOLUTION TO ESTABLISH AN ENTERPRISE DIVISION AS PART OF CLEMSON UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF CLEMSON UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND DISPOSITION OF REAL AND PERSONAL PROPERTY WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION AND PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTIONS 8‑11‑260, 8‑17‑370, AND 11‑35‑710, ALL AS AMENDED, AND RELATING RESPECTIVELY TO EXEMPTIONS FROM STATE PERSONNEL ADMINISTRATIONS, THE STATE EMPLOYEE GRIEVANCE PROCEDURE ACT, AND THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO ADD EXEMPTIONS CONFORMING TO THE CLEMSON UNIVERSITY ENTERPRISE ACT.

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

Senator PEELER spoke on the amendments.

**Point of Order**

Senator SHANE MARTIN raised a Point of Order that the Bill was out of order in that the referral required under Rule 32C could not be made in that the PRESIDENT *Pro Tempore* had resigned.

The ACTING PRESIDENT overruled the Point of Order stating that on Tuesday, June 3, 2014, when the Bill was received from the House and placed on the Calendar, the PRESIDENT *Pro Tempore* had not yet resigned and had not recommended that the Bill be referred to committee.

Senator HUTTO spoke on the amendments.

**Objection**

Senator CORBIN asked unanimous consent to nonconcur in the House amendments.

Senator GROOMS objected.

Senator GROOMS spoke on the amendments.

On motion of Senator HUTTO, with unanimous consent, the Senate proceeded to Amendment No. 3.

**Amendment No. 3**

Senator HUTTO proposed the following amendment (535R008.CBH), which was withdrawn:

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

/ SECTION 1. Chapter 119, Title 59 of the 1976 Code is amended by adding:

“Article 11

The Clemson University Enterprise Act

Section 59‑119‑1110. This article may be cited as the ‘Clemson University Enterprise Act’.

Section 59‑119‑1120. As used in this article:

(1) ‘Board of trustees’ means the Board of Trustees of Clemson University.

(2) ‘Capital improvement’ means the constructing, improving, equipping, renovating and/or repairing of any buildings, structure, facility, or other permanent improvement, or the cost of the acquisition of land whereon to construct or establish such building, structure, facility, or other permanent improvement.

(3) ‘Clemson University’ means Clemson University, an educational institution of higher learning and an agency of the State of South Carolina.

(4) ‘Enterprise activities’ means those programs or functions primarily related to economic development, graduate level research related to economic development, and athletics, with each constituting an enterprise activity.

(5) ‘Enterprise division’ means the Clemson University Enterprise Division, an operational unit of Clemson University created pursuant to this article.

(6) ‘Enterprise division personnel’ means all Clemson University employees or personnel: (a) who are allocated by the board of trustees to one or more enterprise activities, and (b) who devote a significant portion of their efforts for Clemson University supporting those enterprise activities.

(7) ‘Procurement’ has the same meaning as defined in Section 11‑35‑310(24).

(8) ‘SCCPC’ means the South Carolina Consolidated Procurement Code, as provided in Chapter 35, Title 11 and regulations promulgated pursuant to it.

(9) ‘Transferable items’ means, collectively, the duties, responsibilities, assets, personnel, and resources of, allocated to, or supporting, an enterprise activity.

Section 59‑119‑1130. (A) The board of trustees, by resolution, may establish the Clemson University Enterprise Division.

(B) The enterprise division created pursuant to this article is a constituent part of Clemson University.

(C) The resolution creating the enterprise division must provide for the allocation to the enterprise division of the transferable items of one or more enterprise activities as the board of trustees may consider appropriate. The board of trustees may amend the resolution from time to time to allocate transferable items to the enterprise division or to reallocate transferable items between Clemson University and the enterprise division as it considers appropriate.

(D) The board of trustees may adopt a resolution assigning direct oversight and management responsibility over the enterprise division to an existing committee of the board of trustees, or to a new committee established by the board of trustees, but final decision‑making responsibility with respect to the enterprise division remains with the board of trustees.

Section 59‑119‑1140. (A) The board of trustees has the same powers, duties, and responsibilities to manage and control the enterprise division as it does with other duties, responsibilities, assets, personnel, and resources of Clemson University. Without limiting the foregoing, the board of trustees has the following additional authority with respect to the enterprise division:

(1) It may purchase, lease as lessee, accept, and otherwise acquire any real and personal property and other assets upon such terms and conditions as it considers appropriate. Contracts or agreements effecting or governing such a purchase, lease, acceptance, or other acquisition are exempt from provisions of Sections 1‑11‑55 through 1‑11‑65 and Section 59‑103‑110. The board of trustees shall provide on an annual basis a report of property acquired, and any contract or agreement thereto, to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. This report must be based on the fiscal year of Clemson University and must be provided not more than ninety days after the end of the fiscal year.

(2) It may sell, convey, lease as lessor, exchange, and otherwise dispose of any real and personal property and other assets upon the terms and conditions it considers appropriate. The proceeds derived from the sale, conveyance, lease, exchange, or disposition of any real and personal property, net of transaction costs and payment of any debts secured by the sold, conveyed, leased, exchanged, or disposed property, must be remitted to the board to be used exclusively for the support of the enterprise division or Clemson University. Contracts or agreements effecting or governing the sale, conveyance, lease, exchange, or other disposition are exempt from the provisions of Sections 1‑11‑55 through 1‑11‑65, Section 10‑1‑130, and Section 59‑101‑180. The board of trustees shall provide on an annual basis a report of property disposed of pursuant to this item, and any contract or agreement thereto, to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. This report must be based on the fiscal year of Clemson University and must be provided not more than ninety days after the end of the fiscal year.

(3) It may retain the services of advisors, consultants, attorneys, accountants, and financial experts as necessary in the board of trustees’ judgment in connection with any aspect of the enterprise division and to determine their duties and to fix their compensation.

(4)(a) Upon the approval and implementation by the State Budget and Control Board, it shall participate in the comprehensive human resources system for the public institutions of higher learning and technical colleges pursuant to SECTION 3 of Act 74 of 2011; provided however, that any existing exemptions from general state government personnel policies and applicable laws that generally regulate state employee workforce are preserved and shall be preserved if such personnel are moved into the enterprise division.

(b) Each of the enterprise division’s personnel are state employees for purposes of eligibility for participation in retirement and health insurance and other insurance plans and programs administered by the South Carolina Public Employee Benefit Authority and for purposes of the South Carolina Tort Claims Act.

(5) It shall establish the management controls and staffing of enterprise division’s personnel as the board considers appropriate for the prudent conduct of the enterprise division, including the establishment of an internal audit function to monitor the activities of the enterprise division.

(6) It may enter into relationships or transactions with not‑for‑profit entities established, in whole or in part, to support the mission of Clemson University, it being understood that these support entities are not considered an entity owned or controlled by the enterprise division or Clemson University and are not subject to the laws and regulations applicable to the enterprise division. However, if a not‑for‑profit entity acquires a capital improvement on behalf of or for the use of the enterprise division and funds of the enterprise division or Clemson University are used in the acquisition, financing, construction, or current or subsequent leasing of the capital improvement, that acquisition is subject to the provisions of the enterprise division’s procurement policy that the board adopts pursuant to this article.

(7) It may issue bonds, notes, or other obligations or evidences of indebtedness in the name of Clemson University and on behalf of the enterprise division in the same manner and for the same purposes, including the purposes of the enterprise division. Also, it may utilize or benefit, as the case may be, from the provisions of the Higher Education Revenue Bond Act, as provided in Chapter 147, Title 59 and the provisions of the South Carolina Jobs‑Economic Development Fund Act, as provided in Chapter 43, Title 41. This item only applies so long as the proceeds of the bonds, notes, or obligations are not utilized to fund a capital improvement project.

(B)(1) Capital improvements of the enterprise division, and the financing of these capital improvements, are exempt from the provisions of Section 1‑11‑180, Chapter 47, Title 2 and Section 59‑103‑110. The board shall provide on an annual basis a report of capital projects authorized by the board of trustees to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Commission on Higher Education. This report must be based on the fiscal year of Clemson University and must be provided not more than ninety days after the end of the fiscal year.

(2) The board of trustees must establish a review process for the consideration of any permanent improvement project proposal by the enterprise division similar to that set forth in Chapter 47, Title 2.

(3) Notwithstanding any other provision of this subsection, after full architecture and engineering design work is completed on a permanent improvement project, but prior to execution of a construction contract, the project must be submitted to the Joint Bond Review Committee for review and comment.

(4) The exemptions provided by this subsection do not apply to capital improvements for athletics that expends, secures bonding with, or otherwise utilizes state appropriated funds, state general obligation capital improvement bonds, student tuition, student fees, or any other student charge except for non‑mandatory ticket charges to athletic events. For purposes of this item, ‘state appropriated funds’ excludes federal funds and other funds that do not otherwise make this subsection inapplicable.

(5) If a capital improvement project serves multiple purposes and one or more of the purposes is not an enterprise activity thereby causing the exemptions provided by this subsection to not apply, then the exemptions provided by this subsection do not apply for the entire capital improvement project.

(C) The board of trustees shall conduct an annual audit by independent certified public accountants selected by the board of trustees, which accountants shall review the accounts of the enterprise division and report the findings of the audit to the Governor, the Chairman of the Senate Finance Committee, and Chairman of the House Ways and Means Committee in accordance with generally accepted auditing standards and procedures.

(D)(1) Subject to the provisions of item (2), the board of trustees shall adopt for the enterprise division a procurement policy and amend the policy as it considers appropriate. Before the implementation of the procurement policy, or any amendment thereto, the policy or amendment must be approved by the State Budget and Control Board. Thereafter, every procurement of the enterprise division is exempt from the SCCPC and each such procurement instead is subject to the procurement policy adopted by the board.

(2)(a) The procurement policy adopted by the enterprise division may not include provisions relating to telecommunications, and the enterprise division is subject to all procurement provisions relating to telecommunications and telecommunications equipment and service as set forth in the SCCPC and Section 1‑11‑430 unless otherwise exempt by Section 11‑35‑710(6).

(b) The enterprise division may not construct, own, or operate a network that carries commercial traffic, commercial internet traffic, or K‑12 traffic originated in South Carolina.

Section 59‑119‑1150. The requirements imposed upon Clemson University, the board of trustees, and the enterprise division by the provisions of this article may be enforced by mandamus. However, failure to comply with requirements do not invalidate the powers granted pursuant to this article.

Section 59‑119‑1160. Notwithstanding any other provision of this article, enterprise activities only include athletics if Clemson University’s Athletics Grand Total Revenues as reported under the Equity in Athletics Disclosure Act as required by The Higher Education Opportunity Act (Public Law 110‑315) are equal to or exceed forty million dollars a year.

Section 59‑119‑1170. Four years after the adoption of a resolution providing for the allocation to the enterprise division of the transferable items of one or more enterprise activities pursuant to Section 59‑119‑1130(C), and every four years thereafter, the provisions of this act must be reauthorized by the adoption of a joint resolution by the General Assembly, in separate legislation and solely for that purpose. If this act, or any part thereof, is not reauthorized, those provisions are no longer effective.

Section 59‑119‑1180. It is the intent of the General Assembly to review the provisions of this article, and to determine the merit of this pilot enterprise program after the program has been in effect for at least four years. After reviewing this article and making a determination, the General Assembly may consider the costs and benefits of expanding the provisions of this article to additional institutions of higher learning.

Section 59‑119‑1190. Nothing in this article may be construed so as to exempt the enterprise division from the provisions of Section 59‑103‑35 relating to the approval of new programs by the Commission on Higher Education.”

SECTION 2. Section 11‑35‑710 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) the Clemson University Enterprise Division, if such a division is established pursuant to Article 11, Chapter 119, Title 59, the Clemson University Enterprise Act, and the Board of Trustees of Clemson University, pursuant to that act, has adopted a procurement policy for the division and that procurement policy was approved by the State Budget and Control Board pursuant to Section 59‑119‑1140(D).”

SECTION 3. This act takes effect July 1, 2014. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

On motion of Senator HUTTO, with unanimous consent, Amendment No. 3 was withdrawn and the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**EXECUTIVE SESSION**

On motion of Senator PEELER, 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:

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:

Steven E. Lize, 15 Tindal Ridge Point, Irmo, SC 29063 *VICE* Mr. Swain E. Whitfield

On motion of Senator COURSON, the question was confirmation of Mr. Steven E. Lize.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. Steven E. Lize was confirmed.

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

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2011, and to expire June 30, 2015

At-Large:

Kimberly H. Frederick, 110 Oak Drive North, Surfside Beach, SC 29575 *VICE* Ms. Mollie Taylor

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Kimberly H. Frederick.

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

**Ayes 35; Nays 0; Abstain 7**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson Peeler Pinckney

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Williams

**Total--35**

**NAYS**

**Total--0**

**ABSTAIN**

Allen Davis Hutto

McElveen Rankin Sheheen

Young

**Total--7**

The appointment of Ms. Kimberly H. Frederick was confirmed.

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

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2012, and to expire June 30, 2016

2nd Congressional District:

William O. Danielson, 1504 Laryn Ln., Lexington, SC 29072 *VICE* Deborah C. McPherson

On motion of Senator PEELER, the question was confirmation of Mr. William O. Danielson.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. William O. Danielson was confirmed.

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

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of Mr. David J. Posek.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. David J. Posek was confirmed.

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

Reappointment, South Carolina Mental Health Commission, with the term to commence March 21, 2012, and to expire March 21, 2017

2nd Congressional District:

James Buxton Terry, 16 Quinine Hill, Columbia, SC 29204

On motion of Senator PEELER, the question was confirmation of Mr. James Buxton Terry.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. James Buxton Terry was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was taken up for immediate consideration:

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2014, and to expire July 1, 2018

5th Congressional District:

David Glenn McFadden, 787 McBrothers Dr., Fort Lawn, SC 29714

On motion of Senator CAMPSEN, the question was confirmation of Mr. David Glenn McFadden.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. David Glenn McFadden was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2014, and to expire July 1, 2018

1st Congressional District:

Elizabeth H. Willis, 88 Beaufort St., Charleston, SC 29401 *VICE* Ms. Caroline Rhodes

On motion of Senator CAMPSEN, the question was confirmation of Ms. Elizabeth H. Willis.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Ms. Elizabeth H. Willis was confirmed.

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

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

Veterans Organization:

James Lechner, 2 Sandcreek Court, Blythewood, SC 29016 *VICE* Charles R. Simmons

On motion of Senator O’DELL, the question was confirmation of Mr. James Lechner.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. James Lechner was confirmed.

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

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Bevan G. Studstill, 103 Brookhaven Circle, Blythewood, SC 29016 *VICE* Mr. Edward B. Carter

On motion of Senator O’DELL, the question was confirmation of Mr. Bevan G. Studstill.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. Bevan G. Studstill was confirmed.

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

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

Veterans Organization:

Jimmy L. Wallace, 34 Kimpton Dr., Elgin, SC 29045 *VICE* Colonel William P. Collier

On motion of Senator O’DELL, the question was confirmation of Mr. Jimmy L. Wallace.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. Jimmy L. Wallace was confirmed.

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

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Calvin L. Lewis, 120 River Birch Ln., Columbia, SC 29206 *VICE* Mr. James W. Alford

On motion of Senator O’DELL, the question was confirmation of Mr. Calvin L. Lewis.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. Calvin L. Lewis 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, 2013, and to expire May 30, 2015

College/University Seat:

Judy H. Thomas, 101 Laurel Circle, Fort Mill, SC 29715 *VICE* Dr. Mary Moorachian

On motion of Senator ALEXANDER, the question was confirmation of Ms. Judy H. Thomas.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Ms. Judy H. Thomas 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, 2013, and to expire May 30, 2015

Dietician, Community or Public Health:

Rebecca G. Wrenn, 2727 Preston Street, Columbia, SC 29205 *VICE* Ms. Phyllis Allen

On motion of Senator ALEXANDER, the question was confirmation of Ms. Rebecca G. Wrenn.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Ms. Rebecca G. Wrenn was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2012, and to expire July 1, 2016

6th Congressional District:

Cary L. Chastain, 180 Mary Ellen Dr., Charleston, SC 29403 *VICE* Mr. John P. Evans

On motion of Senator CAMPSEN, the question was confirmation of Mr. Cary L. Chastain.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. Cary L. Chastain was confirmed.

**Local Appointments**

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Seldon T. Peden, 10 Knox Street, Greenville, SC 29605 *VICE* New Seat

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

James Doster, Jr., 116 Turtle Dove Circle, Hemingway, SC 29554

Initial Appointment, South Carolina State Board for Technical and Comprehensive Education, with the term to commence July 1, 2014, and to expire July 1, 2020

6th Congressional District:

Gregory B. Askins, 409 East George Street, Hemingway, SC 29554 *VICE* Joe W. Pearce

**ADJOURNMENT**

At 8:02 P.M., on motion of Senator HUTTO, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*