

NO. 67

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

WEDNESDAY, MAY 6, 2015

Wednesday, May 6, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Once again, reading from the book of Proverbs, we are reminded that:

“Gold there is, and rubies in abundance, but lips that speak knowledge are a rare jewel.” (Proverbs 20:15)

Please bow in prayer with me:

Holy God, at this time every year we find ourselves fervently wishing that storerooms full of gold and rubies will be discovered down in the basement of this Statehouse, riches which will solve the budget-challenges with which these leaders are wrestling. Yet knowing that such a discovery is not about to happen, we will settle, Lord, for the genuine gifts -- perhaps even the more valuable gifts -- of knowledge and wisdom. Grant to each Senator and to every staff member these most precious gifts, so that all of South Carolina will benefit. In Your loving name we pray, O Lord. Amen.

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

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate proceeded to a consideration of H. 3890 and at the conclusion of the Bill, the Senate would proceed to consideration of H. 3701.

There was no objection.

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to convene Thursday, May 7, 2015, at 10:00 A.M.

Doctor of the Day

Senator FAIR introduced of Dr. C. Wendell James of Greenville, S.C., Doctor of the Day.

WEDNESDAY, MAY 6, 2015

Leave of Absence

At 2:21 P.M., Senator COURSON requested a leave of absence at 6:00 P.M. until Thursday, May 7, 2015 at 10:00 A.M.

Leave of Absence

At 2:26 P.M., Senator BRYANT requested a leave of absence for Senator CORBIN for the day.

Motion Adopted

On motion of Senator ALEXANDER, with unanimous consent, he was granted leave to vote from the balcony.

Motion Adopted

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

Point of Order

Senator WILLIAMS raised a Point of Order under Rule 24A that Proviso 33.31 of Part 1B was out of order inasmuch as it was not germane to the Bill.

33.31. (DHHS: In-State Medicaid Providers Lab Services) Whenever possible, contracts with managed care plans participating in the Healthy Connections Choices program shall apply an in-state provider preference when contracting for laboratory services if the in-state provider is able to provide the requested service at the same or less cost as an out-of-state provider.

The PRESIDENT took the Point of Order under advisement.

Point of Order Withdrawn

On motion of Senator MASSEY, with unanimous consent, the Point of Order on Part IB, Section 118.12 from Tuesday, May 5, 2015, was withdrawn.

Expression of Personal Interest

Senator CLEARY rose for an Expression of Personal Interest.

RECALLED

H. 3474 -- Reps. Murphy, Horne, Jefferson, Knight, Mack, Tinkler and Whipper: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED

WEDNESDAY, MAY 6, 2015

STATES HIGHWAY 78 AND DEMING WAY IN DORCHESTER COUNTY "MAJOR ERNEST SAMUEL MOULTRIE INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

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

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

RECALLED

S. 384 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG CLEVELAND STREET IN THE TOWN OF ELLOREE "DAVID EARLE POLIN BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 750 -- Senator Peeler: A SENATE RESOLUTION TO EXPRESS THE GRATITUDE OF THE SOUTH CAROLINA SENATE FOR THE DISTINGUISHED SERVICE OF MARK C. HARMON DURING HIS TENURE AS SENATE REPUBLICAN CAUCUS EXECUTIVE DIRECTOR AND TO WISH HIM MUCH SUCCESS IN HIS NEW ENDEAVORS.

I:\council\ills\rm\1263cz15.docx

The Senate Resolution was adopted.

S. 751 -- Senator Peeler: A SENATE RESOLUTION TO HONOR BEN TWILLEY OF COLUMBIA FOR HIS OUTSTANDING

[SJ]

WEDNESDAY, MAY 6, 2015

SERVICE TO THE STATE OF SOUTH CAROLINA AS MAJORITY RESEARCH DIRECTOR FOR THE SENATE REPUBLICAN CAUCUS AND TO WISH HIM ALL THE BEST IN HIS NEW ENDEAVORS.

l:\council\bill\rm\1264cz15.docx

The Senate Resolution was adopted.

S. 752 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE HELEN WHITE OF MARION COUNTY UPON THE OCCASION OF HER ONE HUNDRED EIGHTH BIRTHDAY AND TO WISH HER MUCH HAPPINESS IN THE DAYS AHEAD.

l:\s-res\kmw\003hele.kmm.kmw.docx

The Senate Resolution was adopted.

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

READ THE SECOND TIME

H. 3890 -- Rep. Norrell: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE MUST BE MADE UP, SO AS TO PROVIDE THAT WHEN SCHOOLS CLOSE BECAUSE THE GOVERNOR DECLARES A STATE OF EMERGENCY DUE TO SNOW, EXTREME WEATHER CONDITIONS, OR OTHER NATURAL DISASTERS, STUDENTS IN THOSE SCHOOLS ARE NOT REQUIRED TO MAKE UP ANY DAYS MISSED AS A RESULT.

The Senate proceeded to a consideration of the Bill.

Senator THURMOND proposed the following amendment (AGM\3890C005.AGM.AB15), which was withdrawn:

Amend the bill, as and if amended, Section 59-1-425(B), as contained in SECTION 1, page 1, line 35 by adding / ; provided, however, that a school district may not designate a make-up day on a state holiday or a federal holiday / after / occurrences /.

Re-number sections to conform.

Amend title to conform.

[SJ]

WEDNESDAY, MAY 6, 2015

On motion of Senator THURMOND, the amendment was withdrawn.

Senator SHANE MARTIN proposed the following amendment (BBM\3890C001.BBM.DG15), which was withdrawn:

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

/ SECTION 1. Section 59-1-425(A), (B) and (C) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(A) Each local school district board of trustees of the State shall have the authority to establish an annual school calendar for teachers, staff, and students. ~~The statutory school term is one hundred ninety days annually and shall consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months.~~ However, Beginning with the 2007-2008 school year the opening date for students must not be before the third Monday in August, except for schools operating on a year-round modified school calendar. Three days must be used for collegial professional development based upon the educational standards as required by Section 59-18-300. The professional development shall address, at a minimum, academic achievement standards including strengthening teachers’ knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and the remaining five days may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.

(B) Notwithstanding any other provisions of law to the contrary, all school days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close must be made up. All school districts shall designate annually at least three days within their school calendars to be used as make-up days in the event of these occurrences. If those designated days have been used or are no longer available, the local school board of trustees may lengthen the hours of school operation by no less than one hour per day for the total number of hours missed ~~or~~, operate schools on Saturday, or may waive up to three days. A waiver granted by the local board of trustees of the requirement for making up the three or fewer days missed only may be authorized by a majority vote of the local school board, and, after the completion of the 2014-2015 school year, may not be granted for a school in the district until the school has made up three full days, or the equivalent number of hours.

WEDNESDAY, MAY 6, 2015

missed due to snow, extreme weather, or other disruptions requiring the school to close during the same school year in which the waiver is sought. When a district waives a make-up day pursuant to this section, the make-up day also is waived for all charter schools located in the district and for all students participating in a home schooling program approved by the board of trustees of the district in which the student resides. Schools operating on a four-by-four block schedule shall make every effort to make up the time during the semester in which the days are missed. A plan to make up days by lengthening the school day must be approved by the Department of Education before implementation. Tutorial instruction for grades 7 through 12 may be taught on Saturday at the direction of the local school board. If a local school board authorizes make-up days on Saturdays, tutorial instruction normally offered on Saturday for seventh through twelfth graders must be scheduled at an alternative time.

(C) ~~The General Assembly by law~~ State Board of Education may waive the requirements of making up missed days ~~or, by law, may authorize the school board of trustees to forgive up to three days beyond the three days forgiven by the local school district, not to exceed three additional days~~ missed because of snow, extreme weather conditions, or other disruptions requiring schools to close. ~~A waiver granted by the local board of trustees of the requirement for making up missed days also must be authorized through a majority vote of the local school board.~~ Such a waiver only may be considered and granted upon the request of the local board of trustees through a majority vote of that local school board. The State Department annually before July first shall provide the General Assembly with a detailed report of information from each district listing the number of:

(1) days missed and the reason, regardless of whether any were missed;

(2) days made up; and

(3) days waived.” /

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

On motion of Senator SHANE MARTIN, the amendment was withdrawn.

WEDNESDAY, MAY 6, 2015

The question then being the second reading of the Bill.

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

Ayes 37; Nays 1

AYES

Alexander	Bennett	Bright
Bryant	Campbell	Campsen
Cleary	Coleman	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Leatherman	Lourie	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Matthews
McElveen	Nicholson	Peeler
Rankin	Sabb	Scott
Setzler	Shealy	Thurmond
Turner	Verdin	Williams
Young		

Total--37

NAYS

Massey

Total--1

The Bill was read the second time, passed and ordered to a third reading.

Recorded Vote

Senator ALLEN desired to be recorded as voting in favor of the second reading of the Bill.

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

WEDNESDAY, MAY 6, 2015

**FREE CONFERENCE POWERS REQUESTED
CARRIED OVER**

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

With unanimous consent, Senator HUTTO gave a report on the work of the Committee of Conference.

Senator HUTTO moved that the Committee of Conference be granted Free Conference Powers.

On motion of Senator HUTTO, the request for Free Conference Powers was carried over.

**THE SENATE PROCEEDED TO A CONSIDERATION OF
H. 3701, THE GENERAL APPROPRIATIONS BILL.**

AMENDED, DEBATE INTERRUPTED

H. 3701--GENERAL APPROPRIATIONS BILL

H. 3701 -- 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, 2015, 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.

[SJ]

WEDNESDAY, MAY 6, 2015

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

Amendment No. 33

Senators SHEALY, MASSEY and BRIGHT proposed the following amendment (DKA\3701C004.DKA.15.DOCX), which was carried over:

Amend the bill, as and if amended, Part IA, Section 13, THE CITADEL, page 37, line 4, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	157,248	157,248

and

INSERTING:	151,200	151,200/
------------	---------	----------

Amend the bill further, as and if amended, Part IA, Section 15, UNIVERSITY OF CHARLESTON, page 42, line 3, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	188,000	188,000

and

INSERTING:	179,498	179,498/
------------	---------	----------

Amend the bill further, as and if amended, Part IA, Section 18, LANDER UNIVERSITY, page 49, line 3, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	159,915	159,915

and

INSERTING:	156,779	156,779/
------------	---------	----------

Amend the bill further, as and if amended, Part IA, Section 19, SOUTH CAROLINA STATE UNIVERSITY, page 51, line 4, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	173,400	173,400

and

INSERTING:	170,000	170,000/
------------	---------	----------

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 53, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	297,648	297,648

and

INSERTING:	286,200	286,200/
------------	---------	----------

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

WEDNESDAY, MAY 6, 2015

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

Amendment No. 28

Senator BRIGHT proposed the following amendment (3701R023.EB.LB.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 430, proviso 11.40, line 20 by striking: / and sexual orientation /

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 430, proviso 11.40, lines 21-22 by striking: /(d) student behavior or misconduct indicative of beliefs that might reasonably be construed to lead to discrimination based on race, religion, ethnicity, and sexual orientation;/

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

On motion of Senator LOURIE, the amendment was carried over.

Amendment No. 40

Senators HUTTO, SETZLER, NICHOLSON, SABB, PINCKNEY and WILLIAMS proposed the following amendment (3701 TECH STUDY.DOCX), which was adopted(#13):

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 431, immediately after line 15, by adding an appropriately numbered new proviso to read:

/ 11. (CHE: Technical College Study) (A) The Commission on Higher Education shall examine the viability of a program that allows a student who graduated from a high school in this state or who attained the state educational equivalency of a high school diploma to attend a state technical college without paying tuition and fees at the institution for a specified period. When conducting the examination, the commission shall identify and consider:

(1) The anticipated number of students who will participate in the program;

(2) The anticipated annual cost of the program and federal, state and other sources of funding that could be used to pay the costs of the program;

WEDNESDAY, MAY 6, 2015

(3) Current capacity available at state technical colleges to enroll additional students;

(4) The ability of the program to increase the state's pool of skilled workers and meet projected workforce demands;

(5) The impact of the program to increase educational attainment in the state;

(6) The regions of the state the program would likely significantly increase educational attainment and workforce readiness;

(7) Potential eligibility criteria for students participating in the program; and

(8) The possibility of requiring students to first use financial aid available to the students, including federal funding provided to low-income students for the purpose of paying for post-secondary education.

(B) The commission shall propose criteria for the program.

(C) The commission shall submit a report that summarizes the findings to the General Assembly no later than January 31, 2016. The report may include recommendations for legislation. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 14; Nays 30

AYES

Bright	Bryant	Campsen
Cromer	Davis	Gregory
Grooms	<i>Martin, Shane</i>	Massey
Peeler	Shealy	Thurmond
Turner	Verdin	

Total--14

NAYS

Alexander	Allen	Bennett
Campbell	Cleary	Coleman
Courson	Fair	Hayes

[SJ]

WEDNESDAY, MAY 6, 2015

Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
Matthews	McElveen	Nicholson
O'Dell	Pinckney	Rankin
Sabb	Scott	Setzler
Sheheen	Williams	Young

Total--30

Having failed to receive the necessary vote, the Senate refused to table the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 47

Senators ALEXANDER and O'DELL proposed the following amendment (DAD HEALTHY CONN PRIME), which was adopted(#14):

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 446, after line 3, by adding an appropriately numbered new proviso to read:

/ (DHHS: Healthy Connections Prime Participation) In the current fiscal year participation in Healthy Connections Prime shall be limited to individuals who affirmatively elect to participate. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

Amendment No. 20

Senator CLEARY proposed the following amendment (3701R020.EB.REC.DOCX), which was adopted(#15):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL,

WEDNESDAY, MAY 6, 2015

page 457, after line 17, by adding an appropriately numbered new proviso to read:

/34. (DHEC: Seawall Reconstruction/Repair) In the current fiscal year, the Department of Health and Environmental Control may issue a special permit for the reconstruction or repair of an existing erosion control device of at least four thousand contiguous linear feet that is located landward of an area which the department has granted a permit authorizing a renourishment project that does not qualify for public funding and the permit is active as of July 1, 2014. The department may only issue the permit if the seawall will be reconstructed or repaired with like material and the footprint of the replacement is no more than two feet from the footprint of the original. The department may charge a permit fee equal to the actual cost of issuing the permit. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

Recorded Vote

Senator CROMER desired to be recorded as voting against the adoption of the amendment.

Amendment No. 45

Senator CAMPSSEN, SETZLER, CAMPBELL, CROMER and SHEHEEN proposed the following amendment (3701R016.LMS.GEC.DOCX), which was adopted(#16):

Amend the bill, as and if amended, Part IB, Section 53, DEPARTMENT OF NATURAL RESOURCES, page 471, after line 8, by adding an appropriately numbered new proviso to read:

/53. (DNR: Conservation Bank Trust Fund). Monies designated for the South Carolina Conservation Bank Trust Fund may be utilized for the conservation of isolated wetlands and Carolina Bays if established criteria are met as set forth in Chapter 59 of Title 48. Not more than eight and thirty-three one hundredths percent of the revenue designated for the South Carolina Conservation Bank Trust Fund in the current fiscal year may be utilized for the acquisition, reclamation, or improvements of wetlands and their associated dikes, canals, water control structures, and water control devices on Wildlife Management

[SJ]

WEDNESDAY, MAY 6, 2015

Areas owned and managed by the Department of Natural Resources. No other monies in the trust fund may be utilized for the acquisition, reclamation, or improvement of wetlands and their associated dikes, canals, water control structures and water control devices on Wildlife Management Areas owned and managed by the Department of Natural Resources, unless the monies are used for the acquisition of interests in land and satisfy other established criteria as set forth in Chapter 59 of Title 48 in a substantial way. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN explained the amendment.

Point of Order Withdrawn

Senator PEELER raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CAMPSSEN spoke on the Point of Order.

On motion of Senator PEELER, with unanimous consent, the Point of Order was withdrawn.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 32A

Senator FAIR proposed the following amendment (QH MEDAL OF HONOR BOWL FAIR SUB), which was carried over:

Amend the bill, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 473, after line 23, by adding an appropriately numbered new proviso to read:

/ (PRT: Football Exhibition Funding) The funds appropriated to the Department of Parks, Recreation and Tourism for Football Exhibition Games and carried forward into FY15-16 shall made available to the Medal of Honor Bowl by September 1, 2015. /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 601, proviso 118.14, lines 33 and 34, by striking the lines in entirety.

Re-number sections to conform.

[SJ]

WEDNESDAY, MAY 6, 2015

Amend sections, totals and title to conform.

Senator FAIR explained the amendment.

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

Amendment No. 19A

Senator BENNETT proposed the following amendment (3701R026.EB.SB.DOCX), which was adopted(#17):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 475, proviso 50.13, lines 20-21 , by striking /Any unexpended, unallocated, or undistributed funds appropriated in prior fiscal years for Regional Economic Development Organizations shall be transferred to the Rural Infrastructure Fund at the Department of Commerce./ and inserting /Any unexpended, unallocated, or undistributed funds appropriated in prior fiscal years for Regional Economic Development Organizations shall first be made available to Regional Economic Development Organizations and any remainder shall be transferred to the Rural Infrastructure Fund at the Department of Commerce. If more than one alliance applies for the same funds, the funds will be distributed pro-rata./

Re-number sections to conform.

Amend sections, totals and title to conform.

Motion Adopted

Senator BENNETT asked unanimous consent to withdraw Amendment No. 19 and substitute it with Amendment No. 19A.

There was no objection.

Senator BENNETT explained the amendment.

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

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Bryant	Campbell	Campsen
Cleary	Coleman	Courson
Cromer	Davis	Fair
Gregory	Grooms	Hayes

[SJ]

WEDNESDAY, MAY 6, 2015

Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	Matthews
McElveen	Nicholson	O'Dell
Peeler	Pinckney	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Thurmond
Verdin	Williams	Young

Total--42

NAYS

Bright	Sheheen
--------	---------

Total--2

The amendment was adopted.

Amendment No. 24

Senator JOHNSON proposed the following amendment (3701 61.12.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 61, COMMISSION ON INDIGENT DEFENSE, page 486, line 25, by striking proviso 61.12.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator JOHNSON explained the amendment.

Senator FAIR spoke on the amendment.

Senator MALLOY spoke on the amendment.

On motion of Senator JOHNSON, the amendment was carried over.

Amendment No. 14

Senator BENNETT proposed the following amendment (3701R003.EB.SB.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 507, after line 21, by adding an appropriately numbered new proviso to read:

[SJ]

WEDNESDAY, MAY 6, 2015

/84. (DOT: Secretary's Salary) If during this fiscal year, a new Secretary is employed by the department, a sufficient amount of funds shall be transferred from the Other Personal Services category to the appropriate account to increase the Secretary's annual salary to \$250,000 and the amount of money transferred to fund the new Secretary's salary increase shall be prorated based on the date the new Secretary commences employment. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT explained the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 26

Senators GROOMS and KIMPSON proposed the following amendment (DAD PED SAFETY LG), which was adopted(#18):

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 507, after line 21, by adding an appropriately numbered new proviso to read:

/ (DOT: Safety Enhancements) The Department of Transportation is directed to implement safety enhancements at the intersection of the Septima P. Clark Parkway and Coming Street in the City of Charleston. These enhancements may include, but are not limited to, directional signage and other safety enhancement measures designed to ensure pedestrian safety. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

WEDNESDAY, MAY 6, 2015

Amendment No. 60A

Senator GROOMS proposed the following amendment (3701R041.EB.LKG.DOCX), which was adopted(#19):

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 507, after line 21, by adding an appropriately numbered new proviso to read:

/84. (DOT: Project priority list) In each program category, the Department of Transportation Commission shall maintain a list of at least one hundred projects ranked in order of statewide priority. Every project listed shall include its estimated cost and all relevant information. Each list shall be published in a conspicuous place on the department's website in a manner easily accessible to the public. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Amendment No. 61

Senator COLEMAN proposed the following amendment (BBM\3701C007.BBM.CM15.DOCX), which was adopted(#20):

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 507, after line 21, by adding an appropriately numbered new proviso to read:

/84. (DOT: Contracts) In the current fiscal year, the Department of Transportation shall not use any funds appropriated or authorized in this act to award a contract to a firm that hires a former Department of Transportation engineer unless the engineer has not been employed by the department for one year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator COLEMAN explained the amendment.

The amendment was adopted.

WEDNESDAY, MAY 6, 2015

Motion to Ratify Adopted

At 4:45 P.M., on motion of Senator LARRY MARTIN, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

Motion Adopted

Senator LEATHERMAN moved that the Senate stand adjourned.

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

Ayes 29; Nays 16

AYES

Alexander	Allen	Campbell
Cleary	Coleman	Courson
Davis	Fair	Hutto
Jackson	Johnson	Kimpson
Leatherman	Lourie	Malloy
<i>Martin, Larry</i>	Matthews	McElveen
Nicholson	O'Dell	Peeler
Pinckney	Rankin	Reese
Sabb	Scott	Setzler
Sheheen	Williams	

Total--29

NAYS

Bennett	Bright	Bryant
Campsen	Cromer	Gregory
Grooms	Hayes	Hembree
<i>Martin, Shane</i>	Massey	Shealy
Thurmond	Turner	Verdin
Young		

Total--16

The Senate agreed to stand adjourned.

Debate was interrupted by adjournment.

WEDNESDAY, MAY 6, 2015

ADJOURNMENT

At 5:01 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

WEDNESDAY, MAY 6, 2015

SENATE JOURNAL INDEX

Amendment No. 14.....	16	Amendment No. 61.....	18
Amendment No. 19A.....	15		
Amendment No. 20.....	12	S. 384.....	3
Amendment No. 24.....	16	S. 750.....	3
Amendment No. 26.....	17	S. 751.....	3
Amendment No. 28.....	10	S. 752.....	4
Amendment No. 32A.....	14		
Amendment No. 33.....	9	H. 3474.....	2
Amendment No. 40.....	10	H. 3663.....	8
Amendment No. 45.....	13	H. 3701.....	8
Amendment No. 47.....	12	H. 3890.....	4
Amendment No. 60A.....	18		