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**Thursday, February 25, 2016**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

We read in I Samuel:

“A champion named Goliath, who was from Gath, came out of the Philistine camp. He was over nine feet tall.” (I Samuel 17:4)

Pray with me, if you will:

Lord, we often hear the story of Goliath, how he -- truly a giant -- was humbled and overcome by young David. As we reflect upon that unequal matchup long ago, we inevitably find ourselves thinking of the gigantic challenges facing our state. So we ask, O God, that You enfold each of these Senators in Your care as they and their staff members continue battling modern-day “giants:” namely our state’s overwhelming infrastructure needs, and its limited resources. By Your grace, may these Senators, Lord, strive to do all that is possible to bring about meaningful results for all of our citizens. We hopefully pray this in Your loving name, Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointment**

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2016, and to expire June 30, 2020

Audiologist:

Gwendolyn D. Wilson, 2215 Hoffman Dr., Northwest, Orangeburg, SC 29118

Referred to the Committee on Medical Affairs.

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**Local Appointment**

Initial Appointment, Anderson - Oconee County Master-in-Equity, with the term to commence June 30, 2016, and to expire June 30, 2022

Steven C. Kirven, 115 Carter Hall Drive, Anderson, SC 29621 *VICE* Ellis B. Drew, Jr.

**Point of Quorum**

At 11:10 A.M., Senator SCOTT made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Bright Bryant

Campbell Corbin Courson

Cromer Fair Grooms

Hayes Hutto Johnson

Leatherman *Martin, Larry Martin, Shane*

Massey McElveen Nicholson

Peeler Scott Setzler

Shealy Thurmond Turner

Williams Young

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senators SETZLER and COURSON introduced Dr. Ponce Bullard of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 11:17 A.M., Senator JOHNSON requested a leave of absence for Senator SABB for the balance of the day.

**Leave of Absence**

At 11:26 A.M., Senator REESE requested a leave of absence beginning at 1:00 P.M.

**Leave of Absence**

At 11:26 A.M., Senator RANKIN requested a leave of absence beginning at 1:30 P.M.

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**Leave of Absence**

At 11:30 A.M., Senator HEMBREE requested a leave of absence for Senators GREGORY and CAMPBELL for the day.

**Leave of Absence**

At 1:44 P.M., Senator LOURIE requested a leave of absence for the balance of the day.

**Leave of Absence**

At 1:44 P.M., Senator GROOMS requested a leave of absence until 8:00 P.M.

**Expression of Personal Interest**

Senator McELVEEN rose for an Expression of Personal Interest.

**Remarks by Senator McELVEEN**

I just wanted to share a couple of things and to share some information before we get back to doing the same things we have been doing the last few days. I am not going to call it a filibuster, because a filibuster to me is like an act of endurance that may go late into the night and morning hours. What we have been doing in here -- in my opinion -- is burning up legislative days. Burning up precious days in the second year of a two-year session where we could have been taking up amendments to a roads Bill, which is what the folks in this State want, in my opinion.

I remember sitting back there a couple of weeks ago and hearing Senator MASSEY stand up here talking about his frustration. I do not think that my frustration had quite risen to the level that his had at that point in time, but I listened to his remarks and I have gotten there myself now. You know, during this debate or whatever you want to call it, when the floor has been held the last couple of days, I have heard some things I like and I have heard some things that I did not like. For those that do not know, I do not have a stomach for partisan politics that some people in this Chamber and outside of this Chamber may have. When people call me and ask me to help them, I do not ask them if they are Republican or Democrat because I am getting calls from everybody right now about this. “What are you all doing? Don’t you have this Bill on special order for priority? Can’t you all sit the folks down and take up the Bill?” That would be nice. I will also say the potholes that we hit every day do not have any sort of partisan persuasion. There is nothing partisan about this. If we are going to do something that is vital to this State and vital to our future, we do not need to inject partisan politics into it.

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On Tuesday night, when I was sitting back there around 7:00 P.M., I think that is exactly what we did. When I heard over and over again comments that were made about Democratic Senators on the Finance Committee, I felt like I was getting my ear flicked back there and I am not even on the Finance Committee. I slept on that a couple of days and started thinking about it and this is what I concluded. I started pulling information and I looked back to May 12th of 2015. For those of you who do not remember, May 12th is the day a super majority of this this Body, Republicans and Democrats, voted to put this Bill, the roads Bill, on special order for priority for debate. I think all of us, but five people recorded voting “no” on that -- one was actually Senator PINCKNEY who was not here that day. So a super majority put this Bill where it is now and said that it is important enough to spend time on it and debate it. We all know we have 300 or so amendments on the desk right now, but when I hear these comments about Democrats on the Finance Committee, Democrats in general, I would just humbly point out that there is no Democrat that has been stopping us from getting to those 300 or so amendments, plowing through them and getting a roads Bill. In fact, I have not seen many Republicans doing that either. I am not here to call people out, I just want to get a Bill. I think that the people of this State deserve that. Again, this is precious time that we are letting slip away. So I want us to think about that. We can sit here and criticize what was done here in committee. I have heard Senator MASSEY say these things were never going to be hashed out in committee; there are too many different ideas. If we are going to get a roads Bill, it is going to happen on the floor. I want us to have a chance to do that.

While I am up here and sharing information -- and I will not stand here much longer -- one thing I have always heard is that South Carolina has all of these road miles for a State of our size, but we do not spend the money that other states spend to keep up with those road miles. I started looking into that with the assistance of very capable staff and what I found is -- and some of you may have seen it -- I passed it out yesterday, it was a study that the Reason Foundation did back in 2012. It was a study of road systems, highway systems, and performance from 1984 to 2012. The Reason Foundation mission is to “advance a free society by developing, applying and promoting libertarian principles including individual liberty, free markets, and the Rule of Law.” That is beside the point; I do not want to digress. If you look at those numbers, I think we can all agree that South Carolina is a pretty small State. We have the fourth highest number of road miles that the State is responsible for in the country. If you look at the other chart I handed out yesterday, we also

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are number one -- we spend the least amount of money per mile. So you know, I hear what is being said about waste in the SCDOT and all of the money being wasted. Maybe it is. I am glad Senator BRIGHT last year led the effort to audit SCDOT, it was a great idea. We talk about restructuring, there has not been a bigger proponent of restructuring than me in committee or on this floor. It is something we have to do. Let’s not put this myth out there that we are spending all of the money on roads, because if you believe the chart, we are spending less than anybody else. In comparison to New Jersey, and I don’t think we want to be compared to New Jersey, they have 6% or 7% of the highway miles we have in the State and they are spending a lot more per mile. I have not been up there to see their roads; that is just the point. The point I am trying to make is that when you look at what we have done and the way we have taken care of our roads, or have not taken care of our roads in this State, we are getting what we pay for. It goes beyond congestion and making this State more attractive for businesses and it goes beyond potholes. We have always heard in this State that our roads are not highways, they are “die ways.” Just today, I was looking at the same report, and it said that

most states have been improving in fatality rates from 1984 to 2012. What I’m trying to say of the states who have not shown improved fatality rates -- South Carolina is one of the eight. Just this morning, I read an article in the paper that said in 2015, there was a 16% increase in fatalities on South Carolina Highways in 2015. I just say this, those numbers -- I don’t think they lie. I’m not sure about the Reason Foundation. That report is 50 pages long. You can read it. Those are the numbers I want to share with you.

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

**Expression of Personal Interest**

Senator LOURIE rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 1087 Sen. Rankin

S. 129 Sen. Corbin

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1115 -- Senators Gregory and Rankin: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DIVORCE IN THIS STATE, SO AS TO PROVIDE A PUBLIC POLICY OF THE STATE OF SOUTH CAROLINA REGARDING THE AWARD OF ALIMONY.

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

S. 1116 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CERTIFICATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4637, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1117 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4638, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1118 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4639, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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S. 1119 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ASSESSMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4604, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1120 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCREDITATION CRITERIA, DESIGNATED AS REGULATION DOCUMENT NUMBER 4636, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1121 -- Senators Cleary, Hembree, Campbell, Alexander and Gregory: A SENATE RESOLUTION TO COMMEND AND SUPPORT TAIWAN'S DEMOCRATIC SYSTEM OF GOVERNMENT, ITS CLOSE RELATIONSHIP WITH THE UNITED STATES, AND THE NATION'S MEANINGFUL PARTICIPATION IN THE WORLD HEALTH ORGANIZATION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, AND THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, AS WELL AS OTHER INTERNATIONAL ORGANIZATIONS, AND TO EXTEND SINCERE BEST WISHES FOR CONTINUED COOPERATION AND SUCCESS.

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The Senate Resolution was introduced and referred to the General Committee.

S. 1122 -- Senators Rankin, Cleary and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-10-980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

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

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S. 1123 -- Senator Reese: A CONCURRENT RESOLUTION TO SALUTE THE CHESNEE HIGH SCHOOL COMPETITIVE CHEER TEAM, COACHES, AND SCHOOL OFFICIALS FOR A SUPERLATIVE SEASON AND TO HONOR THEM FOR WINNING THE CLASS AA STATE CHAMPIONSHIP TITLE.

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

S. 1124 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-1-5, SO AS TO PROVIDE THAT A PROSECUTION FOR A CRIMINAL OFFENSE MUST BE COMMENCED NO LATER THAN TWELVE YEARS AFTER THE DATE THE OFFENSE IS ALLEGED TO HAVE OCCURRED WITH CERTAIN EXCEPTIONS.

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

S. 1125 -- Senator Reese: A BILL TO AMEND SECTION 12-65-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEXTILES COMMUNITIES REVITALIZATION INCOME TAX CREDIT, SO AS TO DELETE A PROVISION THAT LIMITS THE CREDIT TO FIFTY PERCENT OF CERTAIN LIABILITY.

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

S. 1126 -- Senator Hembree: A BILL TO AMEND SECTION 1-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATTENDANCE AT CIRCUIT COURT AND PREPARATION AND PUBLICATION OF THE DOCKET, SO AS TO CLARIFY THE ROLE OF THE CIRCUIT SOLICITOR IN THE DEVELOPMENT, DISSEMINATION, AND EXECUTION OF THE GENERAL SESSIONS COURT DOCKET PLAN; TO ALLOW FOR A MOTIONS PRACTICE TO ESTABLISH THE ORDER OF CASES ON THE GENERAL SESSIONS COURT DOCKET; TO PROVIDE THAT THE CIRCUIT SOLICITOR'S ABILITY TO ADMINISTER THE DOCKET MAY NOT INTERFERE WITH A DEFENDANT'S CONSTITUTIONAL RIGHTS; TO ALLOW FOR THE CIRCUIT COURT TO RULE ON CASES AND CONTROVERSIES ARISING FROM THE ADMINISTRATION OF THE DOCKET; AND TO PRESERVE ALL CRIME VICTIMS' CONSTITUTIONAL RIGHTS.

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

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S. 1127 -- Senator Cleary: A BILL TO AMEND SECTION 15-41-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INDIVIDUAL RETIREMENT ACCOUNT BEING EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO DELETE THE PROVISION THAT THE EXEMPTION APPLIES ONLY TO THE EXTENT THAT IS PERMITTED IN SECTION 522(d) OF THE FEDERAL BANKRUPTCY CODE.

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

H. 4548 -- Reps. Sandifer, Forrester, Toole, Bales, Chumley, Burns, Hardee, Allison, Tallon, Henderson, Clemmons, Sottile, Crosby, V. S. Moss, Jefferson, Yow, Duckworth, H. A. Crawford, Jordan, Fry, Herbkersman, Lowe, Goldfinch, Hixon, Norman, Hiott, Taylor, McCoy, D. C. Moss, Collins, Rutherford, Anderson, Kirby, Pitts, Corley, Ballentine, Hamilton, Finlay, Huggins, Ott, Govan, Riley, Willis, Thayer, Felder, Hicks, Simrill, G. A. Brown, Bedingfield, Stringer, Ryhal, King, Loftis, Hayes, Mack, Rivers, Ridgeway, Clary, Brannon, Atwater, Daning, Bannister, Anthony, McEachern, Mitchell, Erickson, Weeks, Knight, Cole, George, Horne, G. R. Smith, G. M. Smith, Williams, Limehouse, Pope, Gambrell, Alexander, Stavrinakis, Newton, White, Spires, R. L. Brown, Gilliard, Dillard and Gagnon: A BILL TO AMEND SECTION 37-2-307, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLOSING FEES ASSESSED ON MOTOR VEHICLES SALES CONTRACTS, SO AS TO PROVIDE A MOTOR VEHICLE DEALER WHO MEETS CERTAIN STATUTORY REQUIREMENTS MAY CHARGE A CLOSING FEE, TO ESTABLISH DEFENSES FOR A MOTOR VEHICLE DEALER, AND TO AUTHORIZE THE DEPARTMENT OF CONSUMER AFFAIRS TO ADMINISTER AND ENFORCE MOTOR VEHICLE DEALER CLOSING FEES.

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

H. 4712 -- Reps. White, Bannister, Rutherford, G. R. Smith, Lowe, Pitts, Hiott, Erickson, Clemmons, Loftis, G. M. Smith, Hayes, Sandifer, Whitmire, Cole, Simrill, Allison, Cobb-Hunter, Long, Huggins, Delleney, Pope and Bales: A BILL TO AMEND SECTION 12-43-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TREATMENT OF AGRICULTURAL REAL PROPERTY, MOBILE HOME, AND LESSEE IMPROVEMENTS TO REAL PROPERTY, SO AS TO CLASSIFY OFF-PREMISES OUTDOOR ADVERTISING SIGNS AS PERSONAL PROPERTY AND TO

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PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES AN OFF-PREMISES SIGN SITE MUST BE TAXED AT ITS VALUE WHICH EXISTED BEFORE THE ERECTION OF THE SIGN.

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

H. 4936 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-50 SO AS TO PROVIDE FOR EDUCATIONAL GOALS FOR ALL SOUTH CAROLINA HIGH SCHOOL GRADUATES AND THE STANDARDS AND AREAS OF LEARNING BY WHICH THESE GOALS ARE MEASURED.

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

H. 4937 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-59-175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS.

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

H. 4938 -- Education and Public Works Committee: A JOINT RESOLUTION TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION, WITH THE ASSISTANCE OF OTHER ENTITIES, SHALL SURVEY STUDENTS ENROLLED IN THE STATE'S COLLEGES OF EDUCATION AND INCLUDE QUESTIONS INQUIRING AS TO WHETHER THE STUDENTS HAVE EVER CONSIDERED TEACHING IN A RURAL AND ECONOMICALLY CHALLENGED SCHOOL DISTRICT AND WHAT INCENTIVES, IF ANY, WOULD CAUSE THEM TO CONSIDER WORKING IN SUCH A DISTRICT.

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

H. 4939 -- Education and Public Works Committee: A BILL TO ESTABLISH A COMMITTEE COMPOSED OF SPECIFIED MEMBERS TO REVIEW ALL EXISTING STATE EDUCATION STATUTES AND REPORT TO THE GENERAL ASSEMBLY THOSE WHICH ARE OBSOLETE OR NO LONGER APPLICABLE; AND TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP THE SYSTEM FOR PROVIDING SERVICES AND TECHNICAL ASSISTANCE FOR SCHOOL DISTRICTS ON A REGIONAL BASIS TO INCLUDE ACADEMIC

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ASSISTANCE AND ASSISTANCE WITH FINANCES, AND TO PROVIDE THAT THE SUPERINTENDENT OF EDUCATION SHALL REPORT THE DESIGN OF THE SYSTEM TO THE GENERAL ASSEMBLY NO LATER THAN DECEMBER 31, 2016, AND EVERY YEAR THEREAFTER REPORT THE PROGRESS OF THE SYSTEM IN REGARD TO ASSISTANCE PROVIDED TO LOCAL SCHOOL DISTRICTS, AND ALSO TO REQUIRE THAT THE DEPARTMENT OF EDUCATION SHALL MONITOR THE OPERATIONS OF SCHOOL BOARDS IN UNDERPERFORMING DISTRICTS TO DETERMINE IF THEY ARE OPERATING EFFICIENTLY AND EFFECTIVELY AND TO PROVIDE THAT THE DEPARTMENT SHALL MONITOR THE PROFESSIONAL DEVELOPMENT OF TEACHERS, STAFF, AND ADMINISTRATORS IN DISTRICTS IT DETERMINES ARE UNDERPERFORMING TO ASCERTAIN WHAT IMPROVEMENTS AND CHANGES ARE NECESSARY.

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

H. 4992 -- Reps. Allison, Brannon, Chumley, Cole, Forrester and Tallon: A CONCURRENT RESOLUTION TO HONOR NORMAN F. PULLIAM, SR., FOR HIS MORE THAN THIRTY YEARS OF DEDICATED SERVICE TO THE SC SCHOOL FOR THE DEAF AND THE BLIND AND TO WISH HIM ALL THE BEST AS HE CONTINUES TO SERVE.

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

**REPORTS OF STANDING COMMITTEES**

Senator FAIR from the Committee on Corrections and Penology submitted a favorable with amendment report on:

S. 238 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑220 SO AS TO ESTABLISH A PROCEDURE TO ALLOW AN INMATE WHO THE DEPARTMENT HAS DETERMINED IS NOT A SECURITY RISK AND CONFINED IN A DEPARTMENT OF CORRECTIONS’ FACILITY TO ATTEND THE FUNERAL SERVICE OF CERTAIN INDIVIDUALS AND VISIT CERTAIN INDIVIDUALS WHILE THEY ARE HOSPITALIZED; AND TO AMEND SECTION 24‑3‑210, RELATING TO FURLOUGHS FOR QUALIFIED INMATES, SO AS TO DELETE THE PROVISION

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THAT ALLOWS AN INMATE TO ATTEND THE FUNERAL OF CERTAIN PERSONS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 284 -- Senator Verdin: A BILL TO AMEND SECTION 39‑25‑180(H) OF THE 1976 CODE, RELATING TO THE ADOPTION OF FEDERAL REGULATIONS FOR FOOD AND COSMETICS, TO PROVIDE THAT VERY SMALL BUSINESSES AND QUALIFIED EXEMPT FACILITIES ARE NOT REQUIRED TO COMPLY WITH ANY REQUIREMENT TO IMPLEMENT HAZARD ANALYSIS AND RISK‑BASED PREVENTIVE CONTROLS UNDER THE FEDERAL GOOD MANUFACTURING PRACTICES REGULATIONS, BUT WILL CONTINUE TO BE SUBJECT TO ALL OTHER GOOD MANUFACTURING PRACTICE REGULATIONS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 371 -- Senator Bryant: A BILL TO AMEND SECTION 40‑33‑110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DISCIPLINING NURSES, SO AS TO ADD THE OVERMEDICATING OR UNDERMEDICATING OF A PATIENT BY A NURSE WHO MISREADS A PHYSICIAN’S ORDER AS A GROUND TO REVOKE THE NURSE’S LICENSE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 788 -- Senator Campsen: A BILL TO AMEND SECTION 48‑39‑150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPROVAL OF PERMITS TO ALTER CRITICAL AREAS, SO AS TO ENACT THE “MANAGED TIDAL IMPOUNDMENT PRESERVATION ACT”, BY EXEMPTING PROPERTY THAT IS DEEMED ELIGIBLE UNDER A UNITED STATES ARMY CORP OF ENGINEERS’ GENERAL PERMIT FROM PERMITTING REQUIREMENTS IN CERTAIN CIRCUMSTANCES AND GRANTING ENFORCEMENT

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AUTHORITY TO THE COASTAL DIVISION OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Ordered for consideration tomorrow.

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

S. 1013 -- Senators Alexander, Davis, Peeler, Gregory and Coleman: A BILL TO AMEND CHAPTER 57, TITLE 40 OF THE 1976 CODE, RELATING TO THE LICENSURE AND REGULATION OF REAL ESTATE BROKERS, SALESPERSONS, AND PROPERTY MANAGERS, TO REORGANIZE THE PROVISIONS OF THIS CHAPTER; TO REVISE AND ADD CERTAIN DEFINITIONS OF TERMS USED IN THIS CHAPTER; TO SPECIFY THAT CERTAIN DUTIES AND RESPONSIBILITIES BELONG TO THE REAL ESTATE COMMISSION RATHER THAN TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO DELETE A LICENSE REINSTATEMENT FEE; TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT, USE, AND REPORTING REQUIREMENTS FOR THE SOUTH CAROLINA REAL ESTATE COMMISSION EDUCATION AND RESEARCH FUND; TO DELETE THE PROVISION REQUIRING LICENSURE APPLICANTS TO SUBMIT A CREDIT REPORT, AND TO REQUIRE APPLICANTS TO UNDERGO CRIMINAL RECORDS CHECKS; TO REVISE EDUCATION AND RELATED REQUIREMENTS OF CERTAIN LICENSEES; TO PROVIDE THAT AN INDIVIDUAL WHOSE LICENSE IS REVOKED MAY NOT REAPPLY FOR LICENSURE FOR THREE YEARS, RATHER THAN ONE YEAR; TO PROVIDE CIRCUMSTANCES IN WHICH THE COMMISSION MAY RECOGNIZE A REAL ESTATE LICENSE FROM ANOTHER STATE AND TO PROVIDE SPECIFIC REQUIREMENTS FOR NONRESIDENT LICENSEES; TO SPECIFY CONTINUING EDUCATION REQUIREMENTS FOR BROKERS IN CHARGE AND PROPERTY MANAGERS IN CHARGE; TO REQUIRE THE ELECTRONIC TRANSMISSION OF CERTAIN STUDENT CONTINUING EDUCATION AND QUALIFYING COURSE RECORDS TO THE COMMISSION, AND TO REQUIRE THE COMMISSION MAINTAIN A SECURE DATABASE OF THESE RECORDS; TO FURTHER SPECIFY ADVERTISING AND MARKETING REQUIREMENTS AND LICENSEE STATUS DISCLOSURE; TO CLARIFY AND FURTHER SPECIFY DUTIES

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AND RESPONSIBILITIES OF BROKERS IN CHARGE AND PROPERTY MANAGERS IN CHARGE CONCERNING TRUST FUNDS AND TRUST ACCOUNTS, RECORDKEEPING, AND THE SUPERVISION AND INSTRUCTION OF LICENSEES REGARDING THESE MATTERS; TO PROVIDE THAT NO CAUSE OF ACTION ARISES IF AN OWNER OF REAL ESTATE OR A LICENSEE DOES NOT DISCLOSE THE LOCATION OF A REGISTERED SEX OFFENDER; TO FURTHER SPECIFY THE RELATIONSHIPS AND THE DUTIES AND RESPONSIBILITIES OF BROKERS IN CHARGE, BROKERAGE FIRMS, AND LICENSEES TO THEIR CLIENTS, CUSTOMERS, AGENTS, OTHER LICENSEES, AND OTHER LICENSED INDIVIDUALS; TO FURTHER PROVIDE FOR GROUNDS FOR DENIAL OF LICENSURE OR FOR DISCIPLINARY ACTION AND TO AUTHORIZE THE COMMISSION TO REQUIRE A LICENSEE TO UNDERGO A CRIMINAL RECORDS CHECK AS PART OF AN INVESTIGATION OR DISCIPLINARY PROCEEDING; AND TO CLARIFY CONFIDENTIALITY REQUIREMENTS OF INFORMATION RECORDED FOR AN INVESTIGATION OR PROCEEDING; AND BY ADDING SECTION 27-32-85 SO AS TO PROVIDE THAT PURCHASE OF BENEFICIARY RIGHTS IN A TRUST BASED TIMESHARE, WHERE THE CONTRACT IS MADE IN THIS STATE, IS A REAL PROPERTY OWNERSHIP CONVEYANCE SUBJECT TO ALL CLOSING REQUIREMENTS CONTAINED IN THE TIME SHARING TRANSACTION PROCEDURES ACT.

Ordered for consideration tomorrow.

Senator COURSON from the Committee on Education submitted a majority favorable with amendment and Senator HUTTO a minority unfavorable report on:

H. 3037 -- Reps. Daning, G.M. Smith, G.R. Smith, Cobb‑Hunter, M.S. McLeod, Felder, Huggins, Pitts, Taylor, Mitchell, Bales, Jefferson and Gambrell: 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, AND TO DEFINE RELATED TERMINOLOGY.

Ordered for consideration tomorrow.

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

H. 3265 -- Reps. Wells, Taylor, Cole, Bedingfield, Sottile, Ridgeway, Hiott, Ott, Anthony, M.S. McLeod, Bannister, Henderson, Collins, Clary, Daning, McKnight, Kennedy, Pope, Hixon, Gagnon, Erickson, Long, Hicks, Nanney and W.J. McLeod: A BILL TO AMEND SECTION 59‑32‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPREHENSIVE HEALTH EDUCATION PROGRAMS, SO AS TO PROVIDE THAT EACH STUDENT MUST RECEIVE INSTRUCTION IN CARDIOPULMONARY RESUSCITATION AT LEAST ONCE DURING THE ENTIRE FOUR YEARS OF GRADES NINE THROUGH TWELVE, AND TO PROVIDE THAT SCHOOL DISTRICTS MUST IMPLEMENT THE PROVISIONS OF THIS ACT BEFORE THE BEGINNING OF THE 2017‑2018 SCHOOL YEAR.

Ordered for consideration tomorrow.

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

H. 3534 -- Rep. Cobb‑Hunter: A BILL TO AMEND SECTION 2‑77‑15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “ELIGIBLE INSTITUTION” AS IT PERTAINS TO THE SOUTH CAROLINA HIGHER EDUCATION EXCELLENCE ENHANCEMENT PROGRAM, SO AS TO INCLUDE AN INSTITUTION THAT OFFERS AT LEAST ONE NONSECTARIAN PROGRAM AT THE BACCALAUREATE LEVEL, AND TO INCLUDE AN INSTITUTION ACCREDITED BY AN ORGANIZATION THAT IS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION AND ALSO RECEIVES TITLE III FUNDING.

Ordered for consideration tomorrow.

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

H. 3576 -- Reps. Bannister, Merrill, Murphy, Atwater, Collins, Gagnon, Hamilton, Hicks, Pitts, Sandifer, G.R. Smith, Tallon, Whitmire, Henderson and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑1‑120 SO AS TO PROVIDE THAT CERTAIN WRITTEN AGREEMENTS BETWEEN NONPROFIT YOUTH SPORTS ORGANIZATIONS AND COACHES PROVIDE CONCLUSIVE EVIDENCE THAT THE COACH IS AN INDEPENDENT

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CONTRACTOR RATHER THAN AN EMPLOYEE OF THE ORGANIZATION AND THAT THE ORGANIZATION IS EXEMPT FROM CERTAIN OBLIGATIONS CONCERNING WORKERS’ COMPENSATION COVERAGE, UNEMPLOYMENT INSURANCE COVERAGE, AND INCOME TAX WITHHOLDINGS, TO PROVIDE SPECIFIC REQUIREMENTS FOR THESE WRITTEN AGREEMENTS, TO PROVIDE THESE WRITTEN AGREEMENTS ARE NOT CONCLUSIVE PROOF OF THE EXISTENCE OF AN INDEPENDENT CONTRACTOR RELATIONSHIP FOR PURPOSES OF ANY CIVIL ACTIONS INSTITUTED BY THIRD PARTIES, AND TO DEFINE THE TERM “NONPROFIT YOUTH SPORTS ORGANIZATION”.

Ordered for consideration tomorrow.

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

H. 4639 -- Reps. Allison and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑103‑47 SO AS TO PROVIDE THE COMMISSION ON HIGHER EDUCATION MAY ENTER INTERSTATE RECIPROCITY AGREEMENTS THAT AUTHORIZE ACCREDITED DEGREE‑GRANTING INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE TO OFFER POSTSECONDARY DISTANCE EDUCATION IN A CERTAIN MANNER, TO PROVIDE RELATED POWERS AND DUTIES OF THE COMMISSION, TO PROVIDE PARTICIPATION IN THE AGREEMENTS IS VOLUNTARY TO ELIGIBLE INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE, TO PROVIDE INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE THAT DO NOT PARTICIPATE IN ANY INTERSTATE RECIPROCITY AGREEMENT ENTERED INTO BY THE COMMISSION ARE NOT PROHIBITED FROM OFFERING POSTSECONDARY DISTANCE EDUCATION, AND TO CLARIFY THAT NO PROVISION OF THIS ACT PROHIBITS OR REDUCES THE AUTHORITY OF THE COMMISSION TO LICENSE INSTITUTIONS OF HIGHER EDUCATION OFFERING DISTANCE EDUCATION IN THIS STATE IF THE INSTITUTION IS NOT A PARTICIPANT IN THE INTERSTATE RECIPROCITY AGREEMENT IN WHICH THE COMMISSION PARTICIPATES.

Ordered for consideration tomorrow.

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Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4873 -- Reps. Ott and Hiott: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANCE OF CLEAN AND ABUNDANT DRINKING WATER IN SOUTH CAROLINA AND TO DESIGNATE TUESDAY, MAY 3, 2016, AS “SOUTH CAROLINA CLEAN DRINKING WATER DAY” TO COINCIDE WITH NATIONAL DRINKING WATER WEEK.

Ordered for consideration tomorrow.

**Invitations Accepted**

On motion of Senator CLEARY, with unanimous consent, the following invitations were polled favorably from the Committee on Invitations and ordered placed on the Calendar:

**Tuesday, March 1, 2016 - 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, The Hall at Senate’s End, 320 Senate Street, by the **CLEMSON UNIVERSITY FOUNDATION**

**Tuesday, March 1, 2016 - 7:00-9:00 P.M.**

Members of the Senate, Reception, The Palmetto Club, by the **GOVERNOR’S SCHOOL FOR THE ARTS FOUNDATION**

**Wednesday, March 2, 2016 - 8:00-10:00 A.M.**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC ASSOCIATION OF SCHOOL ADMINISTRATORS**

**Wednesday, March 2, 2016 - 12:00-2:00 P.M.**

Members of the Senate, Luncheon, The Palmetto Club, by the **SC OPTOMETRIC PHYSICIANS ASSOCIATION**

**Wednesday, March 2, 2016 - 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, USC Alumni Center, by the **UNIVERSITY OF SOUTH CAROLINA**

**Wednesday, March 2, 2016 - 6:00-9:00 P.M.**

Members of the Senate and Staff, Reception, Columbia Metropolitan Convention Center, by the **RICHLAND COUNTY COUNCIL**

**Thursday, March 3, 2016 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **SC FREE CLINIC ASSOCIATION**

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**Tuesday, March 8, 2016 - 5:30-8:00 P.M.**

Members of the Senate, Reception, 701 Whaley, by the **CONSERVATION VOTERS OF SC**

**Tuesday, March 8, 2016 - 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, by the **NATIONAL GUARD ASSOCIATION OF SOUTH CAROLINA**

**Wednesday, March 9, 2016 - 8:00-10:00 A.M.**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC CATHOLIC CONFERENCE**

**Wednesday, March 9, 2016 - 11:30-2:00 P.M.**

Members of the Senate, Luncheon, State House Grounds, by the **SC BAPTIST CONVENTION**

**Wednesday, March 9, 2016 - 6:00-8:30 P.M.**

Members of the Senate and Staff, Reception, Capital City Club, by the **SC INSURANCE NEWS SERVICE**

**Thursday, March 10, 2016 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **SOUTH CAROLINA HIV TASK FORCE**

**Tuesday, March 15, 2016 - 1:00-3:00 P.M.**

Members of the Senate and Staff, Luncheon, State House Grounds, by the **SC REALTORS ASSOCIATION**

**Tuesday, March 15, 2016 - 5:30-8:00 P.M.**

Members of the Senate and Staff, Reception, 1114 College Street, by the **SC BEER WHOLESALERS ASSOCIATION**

**Tuesday, March 15, 2016 - 6:00-9:00 P.M.**

Members of the Senate, Reception, Seawell’s, by the **HOME BUILDERS ASSOCIATION OF SC**

**Wednesday, March 16, 2016 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by th**e SC VOCATIONAL REHABILITATION ASSOCIATION**

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**Wednesday, March 16, 2016 - 11:00-2:00 P.M.**

Members of the Senate and Staff, Luncheon, State House Grounds, by the **SC STATE FIREFIGHTERS’ ASSOCIATION**

**Wednesday, March 16, 2016 - 6:00-8:00 P.M.**

Members of the Senate, Reception, The Clarion Town House, by the **SC JUDGES ASSOCIATION**

**Thursday, March 17, 2016 - 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **LEADERSHIP SC**

**Thursday, March 17, 2016 - 6:00-9:00 P.M.**

Members of the Senate, Reception, Daniel Island Club, Charleston, SC, by the **GOVERNOR’S SCHOOL FOR SCIENCE AND MATH**

**Poll of the Invitations Committee**

**Polled 11; Ayes 9; Nays 0; Not Voting 2**

**AYES**

Cleary Alexander Reese

Campsen Cromer Johnson Kimpson McElveen Campbell

**Total--9**

**NAYS**

**Total--0**

**NOT VOTING**

Verdin Malloy

**Total--2**

Ordered for consideration tomorrow.

**Appointments Reported**

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

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**Statewide Appointments**

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2012, and to expire July 1, 2016

At-Large/Chairman:

Tim M. Hofferth, 260 Edgewood Dr., Chapin, SC 29036 *VICE* John L. Finan (resigned)

Received as information.

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large/Chairman:

Tim M. Hofferth, 260 Edgewood Dr., Chapin, SC 29036

Received as information.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2015, and to expire June 30, 2018

At-Large:

Richard C. Webb, 115 Sundowne Place, Columbia, SC 29209 *VICE* Elizabeth W. Factor (resigned)

Received as information.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2015, and to expire April 1, 2020

Jerry M. Griffin, 740 Creekbridge Dr., Rock Hill, SC 29732 *VICE* Alan D. Gardner (resigned)

Received as information.

Initial Appointment, South Carolina Commission on Archives and History, with term coterminous with Governor

At-Large:

Mark B. Kent, 2 West Hillcrest Drive, Greenville, SC 29609 *VICE* Christopher M. Curtis (resigned)

Received as information.

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Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2012, and to expire July 1, 2016

At-Large:

Devron H. Edwards, 231 Hiller Road, Chapin, SC 29036 *VICE* Tim Hofferth

Received as information.

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large:

Devron H. Edwards, 231 Hiller Road, Chapin, SC 29036

Received as information.

**Appointments Reported**

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

**Statewide Appointments**

Reappointment, South Carolina Real Estate Commission, with the term to commence June 30, 2015, and to expire June 30, 2019

General Public:

Jonathan T. Stackhouse, 2601 Lee Street, Columbia, SC 29205

Received as information.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2014, and to expire May 31, 2017

Licensed or Certified Appraiser:

Christopher D. Donato, 1220 Cadberry Court, Mt. Pleasant, SC 29464

Received as information.

**Message from the House**

Columbia, S.C., February 23, 2016

Mr. President and Senators:

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

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**MASTER-IN-EQUITY**

Appointment, Anderson-Oconee Master-in-Equity, with term to commence June 30, 2016, and to expire June 30, 2022:

Master-in-Equity

Mr. Steven C. Kirven, 115 Carter Hall Drive, Anderson, South Carolina 29621

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., February 25, 2016

Mr. President and Senators:

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

H. 4857 -- Reps. Hiott, Clary and Collins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑27‑255 SO AS TO REQUIRE COAL COMBUSTION RESIDUALS RESULTING FROM THE PRODUCTION OF ELECTRICITY TO BE PLACED IN A CLASS 3 LANDFILL AND TO PROVIDE EXCEPTIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., February 25, 2016

Mr. President and Senators:

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

H. 4151 -- Reps. Pitts, White, Bannister and D.C. Moss: A BILL TO AMEND SECTION 12‑21‑735, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STAMP TAX ON CIGARETTES AND TOBACCO PRODUCTS, SO AS TO REQUIRE AND PROVIDE FOR THE PROPER AFFIXING OF STAMPS, INCLUDING PROVISIONS FOR EXEMPT PACKAGES, UNIQUE SERIAL NUMBERING OF STAMPS, REVOCATION OF THE LICENSE OF A PERSON VIOLATING THESE PROVISIONS, LIMITATIONS ON THE RECEIPT AND SALE OF UNTAXED

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CIGARETTES, TO PROVIDE FOR RETURN AND PAYMENT OF THE TAX, AND TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS NECESSARY TO ESTABLISH, IMPLEMENT, AND ENFORCE THESE PROVISIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., February 25, 2016

Mr. President and Senators:

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

H. 4443 -- Rep. Gilliard: A CONCURRENT RESOLUTION TO DECLARE JUNE 17, 2016, AS MOTHER EMANUEL NINE DAY AND TO ENCOURAGE ALL STATE AGENCIES TO REFLECT ON THE PROGRESS MADE IN IMPROVING RACE RELATIONS AND ECONOMIC EQUALITY FOR MINORITIES AS WELL AS THE EFFORTS TO HELP THE HOMELESS IN SOUTH CAROLINA.

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCE**

S. 1024 -- Senator Shealy: A CONCURRENT RESOLUTION TO EXPRESS THE SUPPORT OF THE SOUTH CAROLINA GENERAL ASSEMBLY AND THE STATE OF SOUTH CAROLINA FOR ORGAN, EYE, AND TISSUE DONATION AND TO DESIGNATE WEDNESDAY, APRIL 6, 2016, AS “ORGAN DONOR REGISTRATION DAY” IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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

**HOUSE BILL RETURNED**

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

H. 3251 -- Reps. G.M. Smith, G.R. Smith and J.E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑1‑310 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH THE MATERNAL MORBIDITY AND MORTALITY REVIEW COMMITTEE TO REVIEW AND STUDY MATERNAL DEATHS AND TO REPORT THE FINDINGS TO THE GENERAL ASSEMBLY.

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

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

S. 853 -- Senators Cleary, Fair, Campbell, Cromer, Johnson, Bryant, Nicholson, Hutto and Bright: A BILL TO AMEND CHAPTER 99, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY TREATMENT FOR MEDICAL HAZARDS CAUSED BY INSECT STINGS, SO AS TO RENAME THE CHAPTER THE “EMERGENCY ANAPHYLAXIS TREATMENT ACT”, TO ADD A DEFINITION FOR “EPINEPHRINE AUTO‑INJECTOR”, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP A TRAINING AND CERTIFICATION PROGRAM FOR INDIVIDUALS WHO ADMINISTER EPINEPHRINE AUTO‑INJECTORS, TO ALLOW CERTAIN ENTITIES TO OBTAIN A PRESCRIPTION FOR AN EPINEPHRINE AUTO‑INJECTOR FROM PHYSICIANS, PHARMACISTS, AND OTHER AUTHORIZED INDIVIDUALS, TO ALLOW PHYSICIANS, PHARMACISTS, AND OTHER AUTHORIZED INDIVIDUALS TO PRESCRIBE OR SELL A PRESCRIPTION FOR AN EPINEPHRINE AUTO‑INJECTOR TO CERTAIN ENTITIES, TO ALLOW APPROPRIATELY CERTIFIED EMPLOYEES OF CERTAIN ENTITIES TO USE AN EPINEPHRINE AUTO‑INJECTOR, TO PROVIDE LIABILITY LIMITATIONS FOR CERTAIN

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INDIVIDUALS AND ENTITIES WHEN ADMINISTERING AN EPINEPHRINE AUTO‑INJECTOR, AND FOR OTHER PURPOSES.

S. 929 -- Senators Campbell, Verdin, Cleary, Lourie, Hembree, Fair and Bright: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 137, TO ENACT THE RIGHT TO TRY ACT, TO PROVIDE FOR ELIGIBLE PATIENT’S RIGHT TO TRY INVESTIGATIONAL DRUGS, BIOLOGICAL PRODUCTS, OR DEVICES TO COMBAT A TERMINAL ILLNESS; TO PROVIDE FOR AN ELIGIBLE PATIENT’S REQUEST TO USE AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE THAT AN ELIGIBLE PATIENT GIVE INFORMED CONSENT PRIOR TO USING AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE PROTECTION FROM LIABILITY FOR DOCTORS PRESCRIBING AND MANUFACTURERS OF AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE THAT STATE EMPLOYEES MAY NOT BLOCK THE PROPER USE OF AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; AND TO DEFINE NECESSARY TERMS.

S. 1036 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑15‑176 SO AS TO PROVIDE THE STATE BOARD OF DENTISTRY MAY ISSUE RESTRICTED DENTAL AUXILIARY INSTRUCTORS’ LICENSES TO DENTISTS WHO MEET CERTAIN REQUIREMENTS, TO PROVIDE LICENSED DENTAL AUXILIARY INSTRUCTORS MAY PRACTICE DENTISTRY IN LIMITED CIRCUMSTANCES ASSOCIATED WITH CERTAIN ACCREDITED DENTAL AUXILIARY PROGRAMS OF TECHNICAL COLLEGES, AND TO PROVIDE FOR THE RENEWAL AND REVOCATION OF RESTRICTED DENTAL AUXILIARY LICENSES; AND TO AMEND SECTION 40‑15‑175, RELATING TO RESTRICTED INSTRUCTORS’ LICENSES ISSUED BY THE BOARD, SO AS TO REVISE CRITERIA FOR LICENSURE AND REQUIRE RENEWAL BIENNIALLY INSTEAD OF ANNUALLY.

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**READ THE SECOND TIME**

S. 868 -- Senators Young, Massey, Setzler and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 7, TITLE 58 SO AS TO PROVIDE PROCEDURES FOR THE EXERCISE OF EMINENT DOMAIN BY PIPELINE COMPANIES, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE CERTAIN RELATED CERTIFICATION OR PERMITTING FUNCTIONS AT THE PUBLIC SERVICE COMMISSION AND THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO PROVIDE PROPERTY OWNER RIGHTS AND A CAUSE OF ACTION FOR DAMAGES SUSTAINED BY CERTAIN ADJACENT PROPERTY OF THE OWNER OF PROPERTY CONDEMNED UNDER THE PROVISIONS OF THIS ACT; AND TO DESIGNATE THE EXISTING PROVISIONS IN THE CHAPTER AS ARTICLE 1 ENTITLED “GAS AND WATER COMPANIES”.

The Senate proceeded to a consideration of the Bill.

**Motion Under Rule 26B Waived**

Senator MASSEY asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

Senator MASSEY explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bright

Bryant Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

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Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 1065 -- Senators Young, Massey, Setzler and Nicholson: A JOINT RESOLUTION TO CLARIFY THAT SECTION 58-7-10 OF THE 1976 CODE OF LAWS DOES NOT APPLY TO A PRIVATE, FOR-PROFIT PIPELINE COMPANY, INCLUDING A PUBLICLY-TRADED FOR-PROFIT COMPANY, THAT IS NOT A PUBLIC UTILITY AS DEFINED BY TITLE 58 OF THE 1976 SOUTH CAROLINA CODE OF LAWS; AND TO CREATE THE PETROLEUM PIPELINE STUDY COMMITTEE TO STUDY MATTERS RELATED TO THE PRESENCE OF PETROLEUM PIPELINES IN SOUTH CAROLINA, AND FOR THE STUDY COMMITTEE TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY BY JANUARY 31, 2017, AND TO CONTINUE ITS WORK UNTIL JUNE 30, 2017, IF THE JANUARY REPORT DETERMINES FURTHER WORK IS NEEDED.

The Senate proceeded to a consideration of the Resolution.

**Motion Under Rule 26B Waived**

Senator YOUNG asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

Senators YOUNG and MASSEY proposed the following amendment (JUD1065.003), which was adopted:

Amend the bill, as and if amended, by striking subsections (B) and (C), beginning on line 41 on page 3 through line 19 on page 4, and inserting:

/ (B) The study committee must be composed of:

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(1) three members of the House of Representatives appointed by the Chairman of the House Labor, Commerce and Industry Committee; and

(2) three members of the Senate appointed by the Chairman of the Senate Judiciary Committee;

(3) the Director of the Department of Health and Environmental Control, or her designee;

(4) the Executive Director of the Office of Regulatory Staff, or his designee;

(5) one member representing environmental or conservation organizations, appointed by the Governor; and

(6) one member representing the South Carolina Petroleum Council, appointed by the Governor.

The Chairman of the House Labor, Commerce and Industry Committee and the Chairman of the Senate Judiciary Committee shall provide appropriate staffing for this study committee.

(C) The study committee shall prepare a report for the General Assembly that sets forth findings and recommendations regarding matters related to the presence of petroleum pipelines in South Carolina, and provide its report to the General Assembly by January 31, 2017, at which time the study committee may dissolve. However, if the report contains findings or a recommendation that further work is needed, the study committee may continue its work until June 30, 2017, at which time the study committee must be dissolved. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question then was second reading of the Resolution.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bright

Bryant Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

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*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 315 -- Senators Grooms and Campsen: A JOINT RESOLUTION TO REPEAL SECTION 6 OF ACT 114, RELATED TO THE TERMINATION OF THE GOVERNOR’S AUTHORITY TO APPOINT THE SECRETARY OF TRANSPORTATION; AND TO EXTEND THE GOVERNOR’S AUTHORITY UNTIL FURTHER ACTION BY THE GENERAL ASSEMBLY TO THE CONTRARY.

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

H. 4787 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HORSE MEAT AND KANGAROO MEAT; FAIRS, CAMP MEETINGS, AND OTHER GATHERINGS; CAMPS; MOBILE/MANUFACTURED HOME PARKS; SANITATION OF SCHOOLS; AND NUISANCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4552, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 4788 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING NURSING HOMES, DESIGNATED AS REGULATION DOCUMENT NUMBER

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4543, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**AMENDMENT PROPOSED**

**CARRIED OVER**

S. 1035 -- Senators Cleary and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA TELEMEDICINE ACT” BY ADDING SECTION 40‑47‑37 SO AS TO FACILITATE THE USE OF TELEMEDICINE BY ESTABLISHING CERTAIN RECORDKEEPING REQUIREMENTS; TO AMEND SECTION 40‑47‑20, RELATING TO DEFINITIONS USED IN CHAPTER 47, TITLE 40, SO AS TO PROVIDE DEFINITIONS FOR “ASYNCHRONOUS STORE AND FORWARD TRANSFER” AND “TELEMEDICINE”; AND TO AMEND SECTION 40‑47‑113, RELATING TO THE REQUIREMENT OF A PHYSICIAN‑PATIENT RELATIONSHIP BEFORE A PHYSICIAN MAY PRESCRIBE DRUGS FOR A PATIENT, SO AS TO ALLOW THE PRESCRIPTION OF DRUGS WHEN THE PHYSICIAN‑PATIENT RELATIONSHIP IS ESTABLISHED BY TELEMEDICINE.

The Senate proceeded to a consideration of the Bill.

Senators BRYANT and CLEARY proposed the following amendment (S-1035 BRYANT-CLEARY), which was proposed:

Amend the bill, as and if amended, Section 40-47-37(C)(6), page 3, by striking lines 1-17 and inserting:

/ (6) prescribe within a practice setting fully in compliance with this section and during an encounter in which threshold information necessary to make an accurate diagnosis has been obtained in a medical history interview conducted by the prescribing licensee; provided, however, that Schedule II and Schedule III prescriptions are not permitted except for those Schedule II and Schedule III medications specifically authorized by the board, which may include, but not be limited to, Schedule II-nonnarcotic and Schedule III-nonnarcotic medications; further, provided, that licensees prescribing controlled substances by means of telemedicine must comply with all relevant federal and state laws including, but not limited to, participation in the South Carolina Prescription Monitoring Program set forth in Article 15, Chapter 53, Title 44 of the 1976 Code; further, provided, that prescribing of lifestyle medications including, but not limited to, hormone replacement therapies, birth control, or erectile dysfunction drugs are not

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permitted unless approved by the board; further provided that prescribing abortion-inducing drugs is not permitted; as used in this article ‘abortion-inducing drug’ means a medicine, drug, or any other substance prescribed or dispensed with the intent of terminating the clinically diagnosable pregnancy of a woman, with knowledge that the termination will with reasonable likelihood cause the death of the unborn child. This includes off‑label use of drugs known to have abortion‑inducing properties, which are prescribed specifically with the intent of causing an abortion, such as misoprostol (Cytotec), and methotrexate. This definition does not apply to drugs that may be known to cause an abortion, but which are prescribed for other medical indications, including, but not limited to, chemotherapeutic agents or diagnostic drugs. Use of such drugs to induce abortion is also known as ‘medical’, ‘drug‑induced’, and/or ‘chemical abortion’. /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT spoke on the amendment.

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

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

**MADE SPECIAL ORDER UNDER RULE 33B**

H. 3184 -- Reps. Pope, Cole, Anderson, Bales, G.A. Brown, R.L. Brown, Finlay, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Bernstein, Long, Douglas, Henderson, G.M. Smith, G.R. Smith, McCoy, McKnight, Clary, M.S. McLeod, Thayer, W.J. McLeod, Weeks, J.E. Smith and Stavrinakis: A BILL TO AMEND SECTION 8‑13‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE ETHICS COMMISSION AND ITS MEMBERSHIP, SO AS TO RECONSTITUTE THE MEMBERSHIP OF THE COMMISSION EFFECTIVE JULY 1, 2015, TO CONSIST OF FOUR MEMBERS APPOINTED BY THE GOVERNOR, FOUR MEMBERS ELECTED BY THE SUPREME COURT, TWO MEMBERS ELECTED BY THE HOUSE OF REPRESENTATIVES, AND TWO MEMBERS ELECTED BY THE SENATE, RESPECTIVELY, TO PROVIDE FOR THE QUALIFICATIONS OF THESE MEMBERS, TO PROVIDE FOR

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OFFICERS OF THE COMMISSION, AND TO PROVIDE FOR THE MEMBERS’ TERMS OF OFFICE AND MANNER OF THEIR REMOVAL UNDER CERTAIN CONDITIONS; TO AMEND SECTION 8‑13‑320, AS AMENDED, RELATING TO THE DUTIES, POWERS, AND PROCEDURES OF THE STATE ETHICS COMMISSION, SO AS TO REVISE THESE DUTIES, POWERS, AND PROCEDURES INCLUDING PROVISIONS TO VEST WITH THE COMMISSION THE ADDITIONAL RESPONSIBILITY TO INITIATE OR RECEIVE COMPLAINTS AGAINST MEMBERS OF THE GENERAL ASSEMBLY, ITS STAFF, AND CANDIDATES FOR ELECTION TO THE GENERAL ASSEMBLY, TO INITIATE OR RECEIVE COMPLAINTS AGAINST JUDGES AND OTHER JUDICIAL OFFICIALS OF THE UNIFIED JUDICIAL SYSTEM AND THEIR STAFFS, TO PROVIDE FOR THE INVESTIGATION AND PROCESSING OF COMPLAINTS AGAINST GENERAL ASSEMBLY MEMBERS, STAFF, AND CANDIDATES PURSUANT TO SPECIFIED PROCEDURES AND FOR THE REFERRAL OF SUBSTANTIVE COMPLAINTS TO THE APPROPRIATE HOUSE OR SENATE ETHICS COMMITTEES FOR DISPOSITION TOGETHER WITH THE ETHICS COMMISSION’S RECOMMENDATION AS TO WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE A VIOLATION HAS OCCURRED, TO PROVIDE FOR THE INVESTIGATION AND PROCESSING OF COMPLAINTS AGAINST JUDGES AND OTHER JUDICIAL OFFICIALS OR THEIR STAFF PURSUANT TO SPECIFIED PROCEDURES AND, AFTER INVESTIGATION, FOR THE REFERRAL OF SUBSTANTIVE COMPLAINTS TO THE COMMISSION ON JUDICIAL CONDUCT AND THE SUPREME COURT FOR DISPOSITION TOGETHER WITH THE ETHICS COMMISSION’S RECOMMENDATION AS TO WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE A VIOLATION HAS OCCURRED; TO AMEND SECTIONS 8‑13‑530 AND 8‑13‑540, BOTH AS AMENDED, RELATING TO THE DUTIES, FUNCTIONS, AND PROCEDURES OF THE HOUSE AND SENATE ETHICS COMMITTEES, SO AS TO REVISE THESE DUTIES, FUNCTIONS, AND PROCEDURES IN ORDER TO BE CONSISTENT WITH THE ABOVE PROVISIONS AND TO MAKE OTHER CHANGES; BY ADDING SECTION 8‑13‑545 SO AS TO AUTHORIZE THE HOUSE OR SENATE ETHICS COMMITTEES TO ISSUE FORMAL ADVISORY OPINIONS AND PROVIDE FOR THEIR EFFECT AND APPLICABILITY; AND BY ADDING ARTICLE 6 TO CHAPTER 13,

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TITLE 8 SO AS TO PROVIDE FOR JUDICIAL COMPLAINT PROCEDURES IN REGARD TO THE ABOVE PROVISIONS.

On behalf of the Rules Committee, Senator CROMER, as Chairman of the Committee on Rules, moved to make the Bill a Special Order pursuant to Rule 33B.

The motion to make the Bill a Special Order was polled out of the Committee on Rules as follows:

**Poll of the Rules Committee**

**Polled 14; Ayes 9; Nays 5**

**AYES**

Cromer *Martin, Larry* Massey

*Martin, Shane* Gregory Campsen

Corbin Turner Young

**Total--9**

**NAYS**

Reese Scott Coleman

Kimpson Sabb

**Total--5**

The question then was the motion to make the Bill a Special Order.

The Bill was set for Special Order.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the motion to set H. 3184 for Special Order.

**MOTION ADOPTED**

At 12:06 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

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

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**CARRIED OVER**

S. 199 -- Senators Grooms, Hembree, Bennett, Campbell, Verdin, Campsen, Gregory, Johnson, Setzler, Sabb, Nicholson and Scott: A BILL TO AMEND SECTION 56‑5‑1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION AND CREATE “PEANUT’S LAW”, TO PROVIDE A DEFINITION FOR THE TERMS “HIGHWAY WORK ZONE” AND “HIGHWAY WORKER”, TO CREATE THE OFFENSES OF “ENDANGERMENT OF A HIGHWAY WORKER”, AND TO PROVIDE PENALTIES FOR THESE OFFENSES; TO AMEND SECTION 56‑1‑720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT “ENDANGERMENT OF A HIGHWAY WORKER” VIOLATIONS RANGE BETWEEN TWO AND SIX POINTS; AND TO REPEAL SECTION 56‑5‑1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

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

**Motion Adopted**

Senator LEATHERMAN moved that when the Senate adjourns today,

it stand adjourned to meet at 10:00 A.M., Tuesday, March 1, 2016.

The motion was adopted.

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

**DEBATE INTERRUPTED**

H. 3579 -- Reps. Simrill, White, Lucas, Allison, Henderson, Limehouse, Newton, Ott, Clary, Collins, Delleney, Forrester, Gambrell, Hardwick, Hiott, Horne, Merrill, D.C. Moss, V.S. Moss, Murphy, Pitts, Sandifer, G.M. Smith, Sottile, Spires, Wells, Whitmire, Yow, Jefferson, Erickson, Funderburk, Hosey, Hixon, Clyburn, Knight, Herbkersman, H.A. Crawford, Felder, Willis, McCoy, Bradley, Douglas, Norrell, Long, Bales, Daning, Loftis, Tallon, Anthony, Howard, Gagnon, Riley, Williams, Hayes, G.A. Brown, R.L. Brown, Hart, Weeks, Whipper, Pope, Tinkler, Hicks, Brannon, Corley, Clemmons, Johnson, George, Alexander, Anderson and Duckworth: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA INFRASTRUCTURE FINANCE REFORM AND TAX RELIEF ACT”; TO AMEND SECTIONS

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57‑1‑310, 57‑1‑320, 57‑1‑325, AND 57‑1‑330, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT ALL THE COMMISSIONERS MUST BE APPOINTED BY THE GOVERNOR AND SERVE AT THE PLEASURE OF THE GOVERNOR, TO PROVIDE THAT APPOINTEES MUST BE SCREENED BY THE JOINT TRANSPORTATION REVIEW COMMITTEE, AND TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER FOR MORE THAN TWELVE YEARS AND NO COUNTY MAY HAVE A RESIDENT COMMISSIONER FOR MORE THAN TWELVE CONSECUTIVE YEARS; TO AMEND SECTION 57‑1‑410, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, INSTEAD OF THE GOVERNOR, SHALL APPOINT THE SECRETARY; TO AMEND SECTIONS 57‑1‑730 AND 57‑1‑740, AS AMENDED, RELATING RESPECTIVELY TO THE DUTIES OF THE JOINT TRANSPORTATION REVIEW COMMITTEE, BOTH SO AS TO REQUIRE THE COMMITTEE TO SCREEN APPOINTEES TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION IN A SIMILAR MANNER AS CURRENTLY ELECTED COMMISSIONERS ARE SCREENED; BY ADDING SECTION 57‑1‑95 SO AS TO PROHIBIT THE COMMENCEMENT OF ANY NEW ROAD CONSTRUCTION PROJECTS IN THIS STATE UNTIL JULY 1, 2020, AND TO PROVIDE EXCEPTIONS; TO AMEND SECTION 11‑43‑140, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO INCREASE THE BOARD TO THIRTEEN MEMBERS AND TO SET FORTH THE MEMBERSHIP, AND TO PROVIDE THAT NO MEMBER MAY SERVE MORE THAN TWELVE YEARS; TO AMEND SECTION 11‑43‑180, RELATING TO FINANCIAL ASSISTANCE GIVEN BY THE INFRASTRUCTURE BANK, SO AS TO PROHIBIT THE BANK FROM PROVIDING ANY LOANS OR OTHER FINANCIAL ASSISTANCE TO ANY PROJECT UNLESS THE ELIGIBLE COSTS OF THE PROJECT ARE AT LEAST TWENTY‑FIVE MILLION DOLLARS; BY ADDING SECTION 11‑43‑265 SO AS TO REQUIRE THE INFRASTRUCTURE BANK TO PRIORITIZE ALL PROJECTS IN ACCORDANCE WITH THE PRIORITIZATION CRITERIA ESTABLISHED IN ACT 114 OF 2007,

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AND TO PROVIDE AN EXCEPTION; BY ADDING SECTION 57‑1‑100 SO AS TO SET FORTH THE OPTIONAL PROCESS BY WHICH THE DEPARTMENT OF TRANSPORTATION TRANSFERS CERTAIN STATE ROADS TO THE COUNTIES OF THIS STATE, TO INCREASE THE AMOUNT DISTRIBUTED TO THE PARTICIPATING COUNTIES OVER TIME, TO PROVIDE THAT EACH PARTICIPATING COUNTY MUST RECEIVE ONE MILLION DOLLARS BEFORE THE FUNDS ARE DISTRIBUTED BASED ON A FORMULA, TO AMEND SECTION 12‑28‑2740, RELATING TO THE DISTRIBUTION OF THE GASOLINE USER FEE TO THE COUNTIES OF THIS STATE, TO ABOLISH THE CURRENT COUNTY TRANSPORTATION COMMITTEES AND THEN RECONSTITUTE THEM WITH THE ADDITION OF MUNICIPAL REPRESENTATION, AND TO SPECIFY THE MANNER IN WHICH “C” FUNDS MUST BE EXPENDED; TO AMEND SECTIONS 56‑5‑4210 AND 56‑5‑4220, BOTH RELATING TO ROAD RESTRICTIONS, SO AS TO SPECIFY CERTAIN RESTRICTIONS ON LOCALITIES; TO AMEND SECTION 12‑28‑310, RELATING TO THE USER FEE ON GASOLINE, SO AS TO REDUCE THE FEE TO TEN CENTS A GALLON; TO AMEND SECTION 56‑11‑410, RELATING TO THE ROAD TAX, SO AS TO REDUCE THE TAX TO TEN CENTS A GALLON; TO AMEND SECTION 56‑11‑450, RELATING TO THE CREDIT AGAINST ROAD TAX, SO AS TO REDUCE THE CREDIT TO TEN CENTS A GALLON; TO AMEND SECTION 12‑36‑2110, RELATING TO THE MAXIMUM TAX, SO AS TO INCREASE THE MAXIMUM TAX FROM THREE HUNDRED TO FIVE HUNDRED DOLLARS ON THE SALE OR LEASE OF A MOTOR VEHICLE; TO AMEND SECTION 12‑36‑2647, RELATING TO THE TAX REVENUES COLLECTED FROM THE SALE OR LEASE OF A MOTOR VEHICLE, SO AS TO CREDIT ALL THE REVENUES TO THE STATE HIGHWAY FUND EXCEPT FOR CERTAIN AMOUNTS THAT ARE USED FOR THE EDUCATION IMPROVEMENT ACT; BY ADDING ARTICLE 4 TO CHAPTER 28, TITLE 12 SO AS TO IMPOSE AN EXCISE TAX ON THE WHOLESALE PRICE OF MOTOR FUEL EQUAL TO THE CUMULATIVE STATE SALES TAX RATE, TO PROVIDE THAT THE REVENUE MUST BE CREDITED TO THE STATE HIGHWAY FUND, TO PROVIDE THAT THE EXCISE TAX MAY NOT EXCEED THE EQUIVALENT OF SIXTEEN CENTS A GALLON, AND TO PROVIDE THE MANNER IN WHICH THE EXCISE TAX IS CALCULATED AND

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ADMINISTERED; BY ADDING ARTICLE 9 TO CHAPTER 11, TITLE 57 SO AS TO IMPOSE AN EXCISE TAX ON MOTOR CARRIERS IN THE SAME MANNER AS THE EXCISE TAX ON MOTOR FUEL; AND TO AMEND SECTION 12‑6‑510, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12‑6‑520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

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

**Amendment No. P1**

Senators LOURIE and HUTTO proposed the following amendment (3579R007.KM.JL):

Amend the committee amendment, as and if amended, page [3579‑2], by striking lines 20‑23 and inserting:

/ twelve cents. Fifteen percent of the funds raised by the increase in the motor fuel user fee imposed by this subsection shall be apportioned among the counties of the State in the manner provided in Section 12‑28‑2740. The remainder of the funds raised by the increase in /

Amend the committee amendment further, as and if amended, page [3579‑4], by striking lines 1‑7 and inserting:

/ (C) ~~The fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund.~~ Fifteen percent of the funds raised by the increase in the motor fuel user fee imposed by this subsection shall be apportioned among the counties of the State in the manner provided in Section 12‑28‑2740. The remaining fees collected pursuant to this section shall be credited to the State Highway Fund.” /

Amend the committee amendment further, as and if amended, page [3579‑4], by striking lines 29‑32 and inserting:

/ (G) From each biennial registration and license fee collected, sixteen dollars shall be credited as follows: fifteen percent of the funds raised by the increase in the motor fuel user fee imposed by this subsection shall be apportioned among the counties of the State in the manner provided in Section 12‑28‑2740 and the remainder credited to the State Highway Fund.” /

Amend the committee amendment further, as and if amended, page [3579‑5], by striking lines 3‑6 and inserting:

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/ (B) Fifteen percent of the funds raised by the increase in the motor fuel user fee imposed by this subsection shall be apportioned among the counties of the State in the manner provided in Section 12‑28‑2740 and the remainder of the fees shall be credited to the State Highway Fund. /

Amend the committee amendment further, as and if amended, page [3579‑6], by striking lines 1‑2 and inserting:

/ (i) fifteen percent shall be apportioned among the counties of the State in the manner provided in Section 12‑28‑2740. /

Renumber sections to conform.

Amend title to conform.

Senator BRIGHT spoke on the amendment.

**Motion to Ratify Adopted**

At 12:47 P.M., Senator LARRY MARTIN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Senator BRIGHT resumed speaking on the amendment.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 25, 2016, at 1:15 P.M. and the following Acts were ratified:

(R140, H. 4507) -- Rep. Tallon: AN ACT TO AMEND SECTION 23‑25‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, PURPOSE, AND MEMBERSHIP OF THE SOUTH CAROLINA LAW ENFORCEMENT OFFICERS HALL OF FAME ADVISORY COMMITTEE, SO AS TO INCREASE THE MEMBERSHIP TO INCLUDE THE PRESIDENT OF THE SOUTH CAROLINA FRATERNAL ORDER OF POLICE, OR HIS DESIGNEE.

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(R141, H. 4660) -- Reps. Sandifer and Gambrell: AN ACT TO AMEND SECTION 38‑43‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITED LINE AND SPECIAL

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PRODUCER LICENSURE, SO AS TO PROVIDE THAT A LICENSED PROPERTY CASUALTY INSURANCE PRODUCER MAY PLACE SURPLUS LINES INSURANCE THROUGH A LICENSED INSURANCE BROKER WITHOUT BEING APPOINTED BY THE SURPLUS LINES INSURER; AND TO AMEND SECTION 38‑1‑20, RELATING TO DEFINITIONS CONCERNING THE INSURANCE LAW OF THIS STATE, AND SECTION 38‑45‑10, RELATING TO DEFINITIONS CONCERNING INSURANCE BROKERS AND SURPLUS PROPERTY LINES INSURANCE, BOTH SO AS TO MAKE CONFORMING CHANGES TO RELATED TERMS.

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(R142, H. 4857) -- Reps. Hiott, Clary and Collins: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑27‑255 SO AS TO REQUIRE COAL COMBUSTION RESIDUALS RESULTING FROM THE PRODUCTION OF ELECTRICITY TO BE PLACED IN A CLASS 3 LANDFILL AND TO PROVIDE EXCEPTIONS.

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Senator BRIGHT resumed speaking on the amendment.

Debate was interrupted by adjournment.

**Motion Adopted**

On motion of Senator LEATHERMAN, with unanimous consent and with Senator BRIGHT retaining the floor on H. 3579, the Senate agreed to stand adjourned.

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Anderson - Oconee County Master-in-Equity, with the term to commence June 30, 2016, and to expire June 30, 2022

Steven C. Kirven, 115 Carter Hall Drive, Anderson, SC 29621 *VICE* Ellis B. Drew, Jr.

**ADJOURNMENT**

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At 2:01 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

\* \* \*