**Tuesday, March 22, 2011**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

In Ecclesiastes we read about God, that:

“He has made everything beautiful in its time.” (Ecclesiastes 3:11a)

Let us pray:

Holy God, almost everywhere we turn we see that the vernal equinox is truly upon us. Spring has indeed arrived. Dogwoods, azaleas, yellow jasmine, tulips and daffodils—their beauty confronts and blesses us over and over. We give You thanks, dear Lord, that nature is again doing her part so exceedingly well. Now may it be said that You bless us through the dedication and work of each of these Senators, as well. Allow Your grace and power to bring their best efforts to full fruition, to the benefit of everyone here in South Carolina. In Your loving name we pray, Lord.

Amen.

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

**REGULATIONS RECEIVED**

The following were received and referred to the appropriate committees for consideration:

Document No. 4174

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-56-10, et seq.

SUBJECT: Hazardous Waste Management Regulations

Received by Lieutenant Governor March 17, 2011

Referred to Medical Affairs Committee

Legislative Review Expiration February 21, 2012

Document No. 4175

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-56-10, et seq.

SUBJECT: Hazardous Waste Management Planning

Received by Lieutenant Governor March 17, 2011

Referred to Medical Affairs Committee

Legislative Review Expiration February 21, 2012

Document No. 4176

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-5-10, et seq.

SUBJECT: Capital Expenditure Reviews Under Section 1122, Social Security Act

Received by Lieutenant Governor March 17, 2011

Referred to Medical Affairs Committee

Legislative Review Expiration February 21, 2012

Document No. 4180

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-56-10, et seq.

SUBJECT: Minimum Standards for Licensing Chiropractic Facilities

Received by Lieutenant Governor March 17, 2011

Referred to Medical Affairs Committee

Legislative Review Expiration February 21, 2012

**Doctor of the Day**

Senators O’DELL and NICHOLSON introduced Dr. Matthew Logan of Greenwood, S.C., Doctor of the Day.

**Leave of Absence**

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

**Leave of Absence**

At 12:05 P.M., Senator GROOMS requested a leave of absence beginning at 3:00 P.M. today and lasting until 4:00 P.M. tomorrow.

**Leave of Absence**

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

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Remarks by Senator PEELER**

Thank you, Mr. PRESIDENT and members of the Senate. The Corinth community is a community that’s located in Cherokee County. It’s a community south of Gaffney between Gaffney and Union. Like thousands of communities throughout the great State of South Carolina it’s filled with good, hardworking people. It’s a small community that has a school named Corinth Elementary School where my mother got her first teaching job. She taught sixth grade at Corinth Elementary School. In that community also is Corinth Baptist Church. Reverend Dwight Easler is the preacher at that church. This past Saturday a group from that church left Gaffney and went over to Spartanburg to Cleveland Park to enjoy a beautiful spring day. A group was riding a miniature train there and for some reason, the train crashed. Reverend Easler’s son, Benji, six-years old, was killed during that crash and several dozen folks were injured. The day of happiness turned into sadness.

On behalf of the Corinth community, the greater Gaffney community, Cherokee County and Spartanburg County, I want to thank you and thank the people of the great State of South Carolina for their condolences, prayers and continued prayers for the families that were touched by this tragic event this past Saturday at Cleveland Park in Spartanburg County. I would ask, please Mr. PRESIDENT, if you would allow the Senate to stand for a moment of silence for Benji, his family and all the other families that were touched by this tragic, tragic event. Please do not to forget the gentleman who was supposed to inspect the train. I can only imagine the grief that is going through everyone that has been affected by this. So, Mr. PRESIDENT, if we could, stand for a moment of silence.

Now, Mr. PRESIDENT, I ask unanimous consent that we adjourn in memory of Benji Easler, six-years old, from Cherokee County.

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

**Expression of Personal Interest**

Senator McCONNELL rose for an Expression of Personal Interest regarding the deficit at the Department of Health and Human Services.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 96 Sen. Cromer

S. 474 Sen. Campbell

S. 491 Sen. Coleman

S. 702 Sen. S. Martin

**RECALLED**

S. 629 -- Senators Sheheen, Setzler, Lourie, Coleman, Malloy, Reese, Anderson, Hayes, Courson, Matthews, Land and Nicholson: A JOINT RESOLUTION TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2011‑2012 SCHOOL YEAR BY MAY 15, 2011; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; AND TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF CERTAIN RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE.

Senator COURSON asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Education.

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

**RECALLED AND COMMITTED**

H. 3716 -- Ways and Means Committee: A BILL TO AMEND CHAPTER 20, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION FINANCE ACT OF 1977, SO AS TO RENAME THE CHAPTER, DEFINE CERTAIN TERMS, REVISE THE PURPOSE OF THE CHAPTER, REVISE PUPIL WEIGHTINGS WITHIN THE ALLOCATION FORMULA, DELETE PROVISIONS REGARDING SCHOOL AND DISTRICT IMPROVEMENT PLANS, DELETE THE INFLATION ADJUSTMENT TO STATE FUNDS FOR SCHOOL DISTRICTS, DELETE THE PROVISION THAT A SCHOOL DISTRICT MAY NOT RECEIVE HOLD HARMLESS FUNDS, DELETE THE REQUIREMENT THAT TEACHER SALARIES MUST BE ADJUSTED TO STAY AT THE SOUTHEASTERN AVERAGE, PROVIDE WHAT THE STATE MINIMUM SALARY SCHEDULE MUST INCLUDE, PROVIDE THAT TEACHER SALARIES IN THE FISCAL YEAR AFTER A FURLOUGH HAS BEEN IMPOSED MUST BE BASED ON THE TEACHER SALARY IN THE YEAR PRIOR TO THE FURLOUGH, PROVIDE THAT TEACHER PAY RAISES MAY BE PROVIDED AT THE DISCRETION OF THE SCHOOL DISTRICT, REVISE HOW A TEACHER MAY QUALIFY FOR A PAY RAISE, REQUIRE THE DEPARTMENT TO DEVELOP AN INCENTIVE COMPENSATION SYSTEM BASED ON TEACHER PERFORMANCE FOR TEACHERS AND PROVIDE REPORTING REQUIREMENTS, REQUIRE A SCHOOL DISTRICT TO PUBLISH THE ACTUAL PERCENTAGE OF ITS PER PUPIL EXPENDITURES USED FOR CLASSROOM INSTRUCTION, INSTRUCTIONAL SUPPORT, AND NON‑INSTRUCTIONAL PUPIL SERVICES, REQUIRE THE DISTRICT TO SPEND AT LEAST SEVENTY PERCENT OF ITS PER PUPIL EXPENDITURES IN THESE CATEGORIES, AND DELETE OBSOLETE REFERENCES; BY ADDING ARTICLE 2 TO CHAPTER 139, TITLE 59 SO AS TO REQUIRE EACH SCHOOL DISTRICT BOARD OF TRUSTEES TO DEVELOP FIVE‑YEAR PLANS FOR THE DISTRICT AND FOR THE SCHOOLS OF THE DISTRICT, PROVIDE WHAT THESE PLANS MUST INCLUDE, AND PROVIDE FOR ALLOCATION OF FUNDING FOR ELEMENTS OF THE PLAN; AND BY ADDING SECTION 59‑19‑91 SO AS TO REQUIRE A SCHOOL DISTRICT BOARD OF TRUSTEES TO ESTABLISH AN IMPROVEMENT COUNCIL AT EACH SCHOOL IN THE DISTRICT, PROVIDE WHO MAY SERVE ON THE COUNCIL, PROVIDE THE DUTIES OF THE COUNCIL, AND PROVIDE TERMS FOR COUNCIL MEMBERS.

Senator HAYES asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

There was no objection and the Bill was recalled from the Committee on Education.

Senator HAYES asked unanimous consent to make a motion to commit the Bill to the Committee on Finance.

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

**RECALLED AND COMMITTED**

H. 3786 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF ARCHIVES AND HISTORY, RELATING TO REHABILITATION OF DESIGNATED HISTORIC BUILDINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4135, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator COURSON asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Education.

There was no objection and the Joint Resolution was recalled from the Committee on Education.

Senator COURSON asked unanimous consent to make a motion to commit the Joint Resolution to the Committee on Judiciary.

There was no objection and the Joint Resolution was committed to the Committee on Judiciary.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 712 -- Senator Leatherman: A SENATE RESOLUTION TO HONOR AND CONGRATULATE THE WEST FLORENCE HIGH SCHOOL KNIGHTS BAND UPON ITS INVITATION TO PARTICIPATE IN THE NEW YEAR’S DAY PARADE IN LONDON IN 2012.

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The Senate Resolution was adopted.

S. 713 -- Senators Knotts and Anderson: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO ADD A MEMBER TO THE BOARD TO BE ELECTED BY THE GENERAL ASSEMBLY.

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Senator KNOTTS spoke on the Bill.

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

S. 714 -- Senator Reese: A BILL TO AMEND SECTION 24-21-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GRANTING OF CLEMENCY BY THE PROBATION, PAROLE AND PARDON SERVICES BOARD, SO AS TO PROVIDE THAT A DENIAL OF CLEMENCY BY THE BOARD MAY BE APPEALED TO THE LIEUTENANT GOVERNOR AND THE GOVERNOR.

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Read the first time and referred to the Committee on Corrections and Penology.

S. 715 -- Senators Rose and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-270 SO AS TO CREATE THE EXEMPTIONS REPEAL COMMITTEE, A JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, TO REQUIRE THE OFFICE OF ECONOMIC RESEARCH TO DIVIDE THE SALES TAX EXEMPTIONS INTO FIVE GROUPS AND RANDOMLY SELECT AN ORDER FOR THE REPEAL OF ONE GROUP A YEAR UNTIL ALL GROUPS ARE REPEALED, TO PROVIDE THAT THE EXEMPTIONS REVIEW COMMITTEE SHALL HOLD HEARINGS ON THE EXEMPTIONS AND MAY AMEND THE CONTENTS OF SALES TAX EXEMPTION GROUPS AND THE ORDER FOR REPEAL, AND TO PROVIDE THE PROCEDURE BY WHICH THE GENERAL ASSEMBLY MAY ENACT THE RECOMMENDATIONS; AND BY ADDING SECTION 12-6-3760 SO AS TO CREATE THE TAXPAYER REBATE FUND, TO PROVIDE FOR A REFUNDABLE INDIVIDUAL INCOME TAX CREDIT RESULTING FROM INCREASED SALES TAX COLLECTIONS, AND TO PROVIDE THE MANNER IN WHICH THE CREDIT IS CALCULATED.

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

S. 716 -- Senators Rose and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-270 SO AS TO CREATE THE EXEMPTIONS REPEAL COMMITTEE, A JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, TO REQUIRE THE OFFICE OF ECONOMIC RESEARCH TO DIVIDE THE SALES TAX EXEMPTIONS INTO FIVE GROUPS AND RANDOMLY SELECT AN ORDER FOR THE REPEAL OF ONE GROUP A YEAR UNTIL ALL GROUPS ARE REPEALED, TO PROVIDE THAT THE EXEMPTIONS REVIEW COMMITTEE SHALL HOLD HEARINGS ON THE EXEMPTIONS AND MAY AMEND THE CONTENTS OF SALES TAX EXEMPTION GROUPS AND THE ORDER FOR REPEAL, TO PROVIDE THE PROCEDURE BY WHICH THE GENERAL ASSEMBLY MAY ENACT THE RECOMMENDATIONS; BY ADDING SECTION 12-6-3760 SO AS TO CREATE THE TAXPAYER REBATE FUND, TO PROVIDE FOR A REFUNDABLE INDIVIDUAL INCOME TAX CREDIT RESULTING FROM INCREASED SALES TAX COLLECTIONS, AND TO PROVIDE THE MANNER IN WHICH THE CREDIT IS CALCULATED; AND BY ADDING SECTION 12-36-2121 SO AS TO PROVIDE THAT IF THE GENERAL ASSEMBLY DOES NOT ENACT A LAW SETTING FORTH A SCHEDULE FOR THE REPEAL OF THE SALES TAX EXEMPTION GROUPS, THE SALES TAX EXEMPTIONS ONLY APPLY TO EIGHTY PERCENT OF THE GROSS PROCEEDS OF SALES, AND TO REDUCE THE PERCENTAGE BY TWENTY PERCENT ANNUALLY UNTIL THE SALES TAX EXEMPTIONS ARE REPEALED ON JULY 1, 2016.

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

S. 717 -- Senator Scott: A BILL TO AMEND SECTION 14-5-610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO REALIGN THE BOUNDARIES OF CERTAIN CIRCUITS.

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Senator SCOTT spoke on the Bill.

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

S. 718 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑5-395 SO AS TO DEFINE A LANDFILL, TO PROVIDE THAT A PUBLIC OR PRIVATELY OWNED WATER UTILITY OPERATING WITHIN FIVE MILES OF A LANDFILL SHALL PROVIDE A WATER LINE AND SUPPLY WATER TO THE LANDFILL, TO PROVIDE THE UTILITY INITIALLY MUST BEAR THE EXPENSE OF CONSTRUCTING THE WATER LINE BUT LATER MAY RECOVER ACTUAL COST OF THE WATER LINE FROM THE LANDFILL’S OWNER, TO PROVIDE A COUNTY OR MUNICIPALITY MAY ISSUE REVENUE BONDS FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF A WATER LINE REQUIRED PURSUANT TO THIS SECTION AND SITUATED WITHIN ITS JURISDICTION AND MAY PLEDGE REVENUE RECEIVED FROM THE LANDFILL SERVICED BY THE WATER LINE TO REPAY THESE REVENUE BONDS, AND TO PROVIDE THE UTILITY MAY CHARGE THE LANDFILL’S OWNER A FEE FOR WATER SUPPLIED TO THE LANDFILL AT THE SAME RATE CHARGED OTHER CUSTOMERS.

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

S. 719 -- Senator Matthews: A BILL TO AMEND TITLE 58 OF THE 1976 CODE, RELATING TO PUBLIC UTILITIES, SERVICES, AND CARRIERS, BY ADDING CHAPTER 39 TO ESTABLISH A RENEWABLE ENERGY AND EFFICIENCY PORTFOLIO STANDARD FOR ELECTRIC POWER SUPPLIERS, TO ACCOUNT FOR INCREMENTAL COSTS INCURRED BY ELECTRIC POWER SUPPLIERS, TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION MUST ENFORCE THE STANDARD, MONITOR COMPLIANCE WITH THIS CHAPTER, AND CARRY OUT CERTAIN OTHER DUTIES, TO PROVIDE THAT THE COMMISSION MUST MAKE AN ANNUAL REPORT OF ENFORCEMENT ACTIONS AND COMPLIANCE, TO PROVIDE STANDARDS FOR BIOMASS COMBUSTION PROCESSES AT NEW RENEWABLE ENERGY FACILITIES THAT DELIVER ELECTRIC POWER TO AN ELECTRIC POWER SUPPLIER, AND TO PROVIDE FOR PENALTIES FOR NON-COMPLIANCE, TO AMEND CHAPTER 31, TITLE 58 BY ADDING SECTION 58-31-610 TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY MUST COMPLY WITH THE STANDARDS ESTABLISHED IN THIS ACT; TO AMEND CHAPTER 49, TITLE 33 BY ADDING SECTION 33-49-150 TO PROVIDE THAT CERTAIN ELECTRIC COOPERATIVES MUST COMPLY WITH THE STANDARDS ESTABLISHED IN THIS ACT; AND TO DEFINE NECESSARY TERMS.

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

S. 720 -- Senator Scott: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICAL THERAPY LICENSURE APPLICATION AND EXAMINATION REQUIREMENTS, SO AS TO PROVIDE THAT AN APPLICANT IS ALLOWED TO TAKE THE EXAMINATION A MAXIMUM OF FOUR TIMES AND MUST WAIT FOR ONE YEAR AFTER TAKING IT A THIRD TIME BEFORE TAKING IT THE FOURTH TIME.

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Read the first time and referred to the Committee on Medical Affairs.

S. 721 -- Senator Massey: A BILL TO AMEND ACT 955 OF 1974, AS AMENDED, RELATING TO THE COMPENSATION OF THE EDGEFIELD COUNTY DISTRICT SCHOOL BOARD OF TRUSTEES, TO PROVIDE THAT THE TRUSTEES SHALL RECEIVE COMPENSATION AGREED UPON BY THE BOARD.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 722 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE, AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS; AND TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4141, 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. 723 -- Senator Elliott: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SEA HAVEN, INC. OF HORRY COUNTY ON THE OCCASION OF ITS THIRTY-EIGHTH ANNIVERSARY, AND TO EXPRESS THE THANKS OF THE SOUTH CAROLINA SENATE FOR SEA HAVEN’S OUTSTANDING WORK IN LENDING A HELPING HAND TO AT‑RISK YOUTH.

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The Senate Resolution was adopted.

S. 724 -- Senator McGill: A BILL TO AMEND ACT 1095 OF 1962, AS AMENDED, RELATING TO THE LOWER FLORENCE COUNTY HOSPITAL DISTRICT, SO AS TO PROVIDE A PROCESS BY WHICH THE FLORENCE COUNTY COUNCIL MAY LEVY MILLAGE WITHIN THE DISTRICT FOR PURPOSES OF CONSTRUCTING, EQUIPPING, AND MAINTAINING HOSPITAL FACILITIES WITHIN THE DISTRICT.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

**REPORTS OF STANDING COMMITTEES**

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

S. 588 -- Senators Jackson, Hayes, O’Dell and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE “STROKE PREVENTION ACT OF 2011” BY ADDING ARTICLE 6 TO CHAPTER 61, TITLE 44 SO AS TO ESTABLISH A STATEWIDE SYSTEM OF STROKE CARE, WHICH REQUIRES THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO RECOGNIZE AND DESIGNATE HOSPITALS THAT ARE CERTIFIED TO BE PRIMARY STROKE CENTERS AND ACUTE STROKE CAPABLE CENTERS, TO DISTRIBUTE A LIST OF PRIMARY STROKE CENTERS AND ACUTE STROKE CAPABLE CENTERS TO EACH EMERGENCY MEDICAL SERVICES PROVIDER AND TO POST THIS LIST ON ITS WEBSITE, TO ADOPT AND DISTRIBUTE A NATIONALLY STANDARDIZED STROKE‑TRIAGE ASSESSMENT TOOL TO EACH EMERGENCY MEDICAL SERVICES PROVIDER, TO ESTABLISH PRE‑HOSPITAL CARE PROTOCOLS FOR THE CARE AND TRANSPORT OF STROKE PATIENTS BY EMERGENCY MEDICAL SERVICE PROVIDERS, TO ESTABLISH A STROKE REGISTRY TASK FORCE TO ANALYZE AND IMPROVE STROKE CARE IN THIS STATE, AND TO ENSURE CONFIDENTIALITY IN SHARING HEALTH CARE INFORMATION; AND TO PROVIDE THAT THE DEPARTMENT’S RESPONSIBILITIES PURSUANT TO THIS ARTICLE ARE CONTINGENT UPON ADEQUATE FUNDING.

Ordered for consideration tomorrow.

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

S. 590 -- Senator McGill: A JOINT RESOLUTION TO EXEMPT THE ESTABLISHMENT OF A GEROPSYCHIATRIC DISTINCT PART UNIT FOR PROSPECTIVE PAYMENT SYSTEM EXCLUSION OF UP TO TEN BEDS FROM THE REQUIREMENT OF OBTAINING A CERTIFICATE OF NEED.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3374 -- Reps. Hixon, D.C. Moss, Frye, Ott, J.R. Smith, Atwater, Tallon, Brannon, Thayer, McCoy, Corbin, Crosby, Murphy, V.S. Moss, Pinson, G.R. Smith, Chumley, Butler Garrick, Clemmons, Clyburn, Govan, Hardwick, Munnerlyn, Pitts, Pope, Ryan, Taylor, Young, Vick and Hodges: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 12 TO TITLE 50 SO AS TO ENACT THE “INTERSTATE WILDLIFE VIOLATOR COMPACT”, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE COMPACT WITH OTHER COMPACT STATES, AND TO PROVIDE THAT THE CHAIRMAN OF THE BOARD OF THE DEPARTMENT OF NATURAL RESOURCES SHALL APPOINT THE COMPACT ADMINISTRATOR FOR THIS STATE.

Ordered for consideration tomorrow.

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

**READ THE SECOND TIME**

S. 686 -- Education Committee: A JOINT RESOLUTION TO CLARIFY THE SCIENCE COURSE REQUIREMENT FOR RECEIVING A SOUTH CAROLINA HIGH SCHOOL DIPLOMA.

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

There was no objection.

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

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

**Ayes 39; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Hayes Hutto

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McConnell McGill

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Williams

**Total--39**

**NAYS**

**Total--0**

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

**OBJECTION**

Senator KNOTTS objected to the uncontested Bills on the Statewide Calendar.

**THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, the Senate agreed to dispense with the Motion Period.

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

**DEBATE INTERRUPTED**

S. 431 -- Senators McConnell, Rankin, Setzler, Campbell, Shoopman, Reese, Bright, Alexander, S. Martin, Fair, Cromer, Bryant, Elliott, O’Dell, Campsen, Ford, Rose, Lourie, Cleary, Verdin, McGill, Williams, Nicholson, Knotts and Land: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑61‑70 SO AS TO PROVIDE THAT A LIABILITY INSURANCE POLICY ISSUED BY AN INSURER AND COVERING A CONSTRUCTION PROFESSIONAL IN THIS STATE MUST BE BROADLY CONSTRUED IN FAVOR OF COVERAGE, AND TO PROVIDE THAT WORK OF A CONSTRUCTION PROFESSIONAL RESULTING IN PROPERTY DAMAGE IN CERTAIN CIRCUMSTANCES CONSTITUTES AN OCCURRENCE AS COMMONLY DEFINED IN LIABILITY INSURANCE AND IS NOT THE INTENDED OR EXPECTED CONSEQUENCE OF THE WORK OF THE CONSTRUCTION PROFESSIONAL.

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

Senator LARRY MARTIN spoke on the committee amendment.

**Point of Personal Privilege**

Senator FORD rose to a Point of Personal Privilege.

Senator ELLIOTT spoke on the committee amendment.

Senator RANKIN spoke on the committee amendment.

**Motion Adopted**

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

**Motion Adopted**

With Senator RANKIN retaining the floor, Senator McCONNELL asked unanimous consent to make a motion to place the Bill in the status of Interrupted Debate; the Senate would then go into Executive Session and, upon conclusion of the Executive Session, the Senate would stand adjourned.

On motion of Senator McCONNELL, debate was interrupted by adjournment with Senator RANKIN retaining the floor.

**EXECUTIVE SESSION**

On motion of Senator McCONNELL, the seal of secrecy was removed and the Senate reconvened.

By prior motion of Senator McCONNELL, the Senate stood adjourned.

**MOTION ADOPTED**

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Benjamin Samuel Easler, six-year-old of Gaffney, S.C., who tragically lost his life while riding a miniature train which derailed at Spartanburg’s Cleveland Park.

**ADJOURNMENT**

At 2:59 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 2:00 P.M.

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