**Thursday, March 22, 2012**

**(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:

The apostle Paul reminds all of us to:

“Above all, clothe yourselves with love, which binds everything together in perfect harmony.” (Colossians 3:14)

Let us unite our hearts in prayer:

Holy God, we recognize that incredibly significant issues are typically pursued in this Chamber and by these Senators. Matters that will sometimes impact the lives of South Carolinians for decades to come are presented, debated and decided. We are genuinely grateful for the many gifts each of these servants possess; so much rests on each of them.

But we all mostly pray that—as Paul once argued—they all “clothe themselves with love”: love for this State, love for her people, and love for doing what is right and just. This we pray in Your loving name, O Lord.

Amen.

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

**REGULATION WITHDRAWN**

The following was received:

Document No. 4188

Agency: Workers' Compensation Commission

Chapter: 67

Statutory Authority: 1976 Code Section 42-15-90

SUBJECT: Maximum Allowable Payments to Medical Practitioners

Received by Lieutenant Governor January 10, 2012

Referred to Judiciary Committee

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn March 19, 2012

**Doctor of the Day**

Senator SHOOPMAN introduced Dr. Robert Morgan of Greenville, S.C., Doctor of the Day.

**CO-SPONSORS ADDED**

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

S. 771 Sens. Bryant, Cleary

S. 1057 Sen. Lourie

S. 1268 Sen. Ford

S. 1299 Sen. Ford

S. 1354 Sen. Thomas

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bills:

S. 1356 Sen. Rose

**Expression of Personal Interest**

Senator KNOTTS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1364 -- Senator Cromer: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LAWFUL SIZE AND CATCH LIMITS FOR CERTAIN FISH, SO AS TO PROVIDE LAWFUL SIZE AND CATCH LIMITS FOR SHEEPSHEAD (ARCHOSARGUS PROBATOCEPHALUS).

l:\council\bills\swb\5180cm12.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1365 -- Senators Knotts, Campbell, Rose, Cromer and Grooms: A JOINT RESOLUTION TO DISAPPROVE REGULATIONS OF THE ATHLETIC COMMISSION, RELATING TO MIXED MARTIAL ARTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4217, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\dbs\31075ac12.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1366 -- Senators Knotts, Campbell, Cromer, Rose, Massey, Ryberg and Grooms: A JOINT RESOLUTION TO DISAPPROVE REGULATIONS OF THE ATHLETIC COMMISSION, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4262, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\dbs\31074ac12.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1367 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF MEDICAL EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4271, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\dbs\31080ac12.docx

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

S. 1368 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ADULT EDUCATION PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4199, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\dbs\31073ac12.docx

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

S. 1369 -- Senators L. Martin, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Gregory, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO THANK MS. BECKIE GUNTER FOR HER TWENTY-THREE YEARS OF DISTINGUISHED AND EXEMPLARY SERVICE TO THE SENATE OF SOUTH CAROLINA.

l:\s-res\lam\008gunt.mrh.lam.docx

Whereas, the members of the Senate are pleased that Ms. Beckie Gunter has embraced new challenges and opportunities; and

Whereas, after Senator Glenn F. McConnell was elected Lieutenant Governor of South Carolina on March 13, 2012, she transitioned with him and will continue to work with him in the Lt. Governor’s Office; and

Whereas, since June 1989, Beckie has spent her career working for a variety of South Carolina State Senators, including Senators Pope, Elliott, Russell, and Lander, prior to working for Senator McConnell in both the Rules and Judiciary Committees; and

Whereas, music has always been a vital part of Beckie’s life. She is an accomplished organist and pianist and has served as organist of every church that she has attended since she was fourteen years old. She is currently a member of Kittiwake Baptist Church; and

Whereas, acting is Beckie’s new passion. She can be found acting, singing, and dancing with the St. Paul’s Players of St. Paul’s Lutheran Church in Columbia; in particular, her last role featured her wonderful storytelling abilities and adeptness at waltzing; and

Whereas, Beckie thoroughly enjoys spending time with her daughter, Sharon, and son‑in‑law, Brad, and adores the new man in her life - her grandson Nicholas. She is lovingly referred to as “Grammy”; and

Whereas, she is also an endearing friend and listener to countless individuals who stop by her office; and

Whereas, we are greatly pleased to have this opportunity to salute Beckie and accord her special recognition for her commitment and outstanding service to the members of the Senate. Now, therefore,

Be it resolved by the Senate:

That the members of the Senate, by this resolution, thank Ms. Beckie Gunter for her twenty-three years of distinguished and exemplary service to the Senate of South Carolina.

Be it further resolved that a copy of this resolution be forwarded to Ms. Beckie Gunter.

The Senate Resolution was adopted.

**Privilege of the Chamber**

On motion of Senator LARRY MARTIN and on behalf of the entire Senate, with unanimous consent, the Privilege of the Chamber, to that area behind the rail, was extended to Mrs. Beckie Gunter, outstanding Administrative Assistant to former Senator McCONNELL, now Lieutenant Governor, upon her departure from the Office of the PRESIDENT *Pro Tempore* after 23 years of distinguished service to work in the Lieutenant Governor’s Office.

S. 1370 -- Senators L. Martin, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Gregory, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO THANK MRS. DEBBIE HAMMOND FOR HER TWENTY-SIX YEARS OF DISTINGUISHED AND EXEMPLARY SERVICE TO THE SENATE OF SOUTH CAROLINA.

l:\s-res\lam\007hamm.mrh.lam.docx

Whereas, the members of the Senate are pleased that Mrs. Debbie Hammond has embraced new challenges and opportunities; and

Whereas, after Senator Glenn F. McConnell was elected Lieutenant Governor of South Carolina on March 13, 2012, she transitioned with him and will serve in his office as Chief of Staff; and

Whereas, prior to this position, Debbie served for twenty-six years in the Senate with the exception of one year, 2005-2006, when she was employed as Executive Assistant in the Office of Regulatory Staff before she returned to her beloved Senate; and

Whereas, over the years she has ably served under the leadership of Senator Marshall B. Williams, Senator Donald H. Holland, and Senator Glenn McConnell in the Senate Judiciary Committee, including, among many other responsibilities, assisting in three rounds of redistricting; and

Whereas, in her free time, Debbie thoroughly enjoys cooking and entertaining and spending time with her husband Mike and their two grown children, Tricia and Scott; and

Whereas, Debbie has spent the greater part of her public service career working for the South Carolina Senate and has always been universally regarded as a person of integrity, organization, and loyalty; and

Whereas, she deserves the thanks of every member of the Senate for her excellent work and outstanding service to the Palmetto State. Now, therefore,

Be it resolved by the Senate:

That the members of the Senate, by this resolution, thank Mrs. Debbie Hammond for her twenty-six years of distinguished and exemplary service to the Senate of South Carolina.

Be it further resolved that a copy of this resolution be forwarded to Mrs. Debbie Hammond.

The Senate Resolution was adopted.

**Privilege of the Chamber**

On motion of Senator LARRY MARTIN and on behalf of the entire Senate, with unanimous consent, the Privilege of the Chamber, to that area behind the rail, was extended to Mrs. Debbie Hammond, Chief of Staff to former Senator McCONNELL, now Lieutenant Governor, upon her departure from the Office of the PRESIDENT *Pro Tempore* after 26 years of dedicated service to work in the Lieutenant Governor’s Office.

S. 1371 -- Senator Thomas: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE HILLCREST HIGH SCHOOL VARSITY WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR GARNERING THE 2012 CLASS AAAA STATE CHAMPIONSHIP TITLE.

l:\council\bills\gm\24996zw12.docx

The Senate Resolution was adopted.

H. 5061 -- Reps. Pinson, Parks and Pitts: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. CHARLES T. GAINES, FOUNDER AND CONDUCTOR OF THE GREENWOOD FESTIVAL CHORALE, UPON THE OCCASION OF HIS RETIREMENT, AFTER SEVENTEEN YEARS OF OUTSTANDING AND TALENTED SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 771 -- Senators Peeler, Bryant and Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑7‑390 SO AS TO PROVIDE THAT THERE IS NO MONETARY LIABILITY, AND NO CAUSE OF ACTION IS CREATED, BY A HOSPITAL UNDERTAKING OR PERFORMING CERTAIN ACTS IF NOT DONE WITH MALICE; BY ADDING SECTION 44‑7‑392 SO AS TO PROVIDE THAT CERTAIN HOSPITAL PROCEEDINGS AND DATA, DOCUMENTS, RECORDS, AND INFORMATION RESULTING FROM THESE PROCEEDINGS ARE CONFIDENTIAL AND NOT SUBJECT TO DISCOVERY OR SUBPOENA AND MAY NOT BE USED AS EVIDENCE IN A CIVIL ACTION UNLESS THE HOSPITAL HAS WAIVED CONFIDENTIALITY OR THE DATA, DOCUMENTS, RECORDS, OR INFORMATION ARE OTHERWISE AVAILABLE AND SUBJECT TO DISCOVERY; TO PROVIDE THAT THE OUTCOME OF A PRACTITIONER’S APPLICATION FOR HOSPITAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES IS NOT CONFIDENTIAL BUT THAT THE APPLICATION AND SUPPORTING DOCUMENTS ARE CONFIDENTIAL; TO PROVIDE THAT DISCLOSURE OF CERTAIN INFORMATION BY A HOSPITAL THROUGH REPORTS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE JOINT COMMISSION, OR THE BOARD OF MEDICAL EXAMINERS IS NOT A WAIVER OF ANY PRIVILEGE OR CONFIDENTIALITY; AND TO PROVIDE THAT AN AFFECTED PERSON MAY FILE AN ACTION TO ASSERT A CLAIM OF CONFIDENTIALITY AND TO ENJOIN THE HOSPITAL, THE JOINT COMMISSION, OR THE BOARD OF MEDICAL EXAMINERS FROM RELEASING SUCH INFORMATION, AND IF THE COURT FINDS THAT THE PERSON ACTED UNREASONABLY IN ASSERTING THIS CLAIM, THE COURT SHALL ASSESS ATTORNEY’S FEES AGAINST THAT PERSON; BY ADDING SECTION 44‑7‑394 SO AS TO PROVIDE THAT IF IN A JUDICIAL PROCEEDING THE COURT FINDS DOCUMENTS, OVER WHICH THE HOSPITAL ASSERTED A CLAIM OF CONFIDENTIALITY, ARE NOT SUBJECT TO CONFIDENTIALITY AND THAT THE HOSPITAL ACTED UNREASONABLY IN ASSERTING THIS CLAIM, THE COURT SHALL ASSESS ATTORNEY’S FEES AGAINST THE HOSPITAL FOR COSTS INCURRED BY THE REQUESTING PARTY TO OBTAIN THE DOCUMENTS; AND TO AMEND SECTION 40‑71‑10, RELATING TO THE EXEMPTION FROM TORT LIABILITY FOR MEMBERS OF CERTAIN PROFESSIONAL COMMITTEES, SO AS TO DELETE FROM THE EXEMPTION AN APPOINTED MEMBER OF A COMMITTEE OF A MEDICAL STAFF OF A HOSPITAL IF THE STAFF OPERATES PURSUANT TO WRITTEN BYLAWS APPROVED BY THE GOVERNING BOARD OF THE HOSPITAL.

Ordered for consideration tomorrow.

Senator FAIR from the Committee on Corrections and Penology polled out S. 1329 favorable:

S. 1329 -- Senator Fair: A BILL TO AMEND SECTION 24‑21‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPOINTMENT OF THE DIRECTOR OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, AND THE MEMBERS OF THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE THAT THE MEMBER OF THE BOARD WHO IS APPOINTED ON AN AT‑LARGE BASIS MUST BE SELECTED FROM ONE OF THE CONGRESSIONAL DISTRICTS AND AT LEAST ONE APPOINTEE SHALL POSSESS THE QUALIFICATIONS THAT THE AT‑LARGE APPOINTEE FORMERLY MET.

**Poll of the Corrections and Penology Committee**

**Polled 16; Ayes 16; Nays 0; Not Voting 1**

**AYES**

Fair Thomas Ford

Ryberg Anderson Pinckney

Williams Campbell Massey

Coleman *Martin, Shane* Nicholson

Rose Scott Shoopman

Gregory

**Total--16**

**NAYS**

**Total--0**

**NOT VOTING**

Campsen

**Total--1**

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a majority favorable with amendment and Senator NICHOLSON a minority unfavorable report on:

H. 4721 -- Reps. Bingham, Merrill, Hixon, Southard, Corbin, Erickson, Parker, J.R. Smith, Allison, G.R. Smith, Sottile, Gambrell, Huggins, Murphy, Ryan, Putnam, Brady, Whitmire, Atwater, Ballentine, Bannister, Barfield, Bowen, G.A. Brown, Chumley, Cole, Crawford, Crosby, Daning, Forrester, Frye, Hamilton, Harrell, Henderson, Herbkersman, Horne, Limehouse, Long, Lowe, McCoy, D.C. Moss, V.S. Moss, Norman, Owens, Pinson, Pitts, Pope, Quinn, Sandifer, Simrill, Skelton, G.M. Smith, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, White, Willis, Hardwick and Patrick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “BUSINESS FREEDOM TO CHOOSE ACT”, BY AMENDING SECTION 44‑96‑80, RELATING TO COUNTY SOLID WASTE PROGRAMS, INCLUDING A COUNTY’S AUTHORITY TO ENACT ORDINANCES CONSISTENT WITH THE STATE PLAN, LAW, AND REGULATIONS, SO AS TO MAKE TECHNICAL CORRECTIONS, DELETE OBSOLETE LANGUAGE AND TO PROVIDE THAT AN ORDINANCE THAT RESTRICTS SOLID WASTE DISPOSAL AT A PERMITTED FACILITY OR IMPEDES THE DEVELOPMENT OR IMPLEMENTATION OF A RECYCLING PROGRAM IS INCONSISTENT WITH THE PROVISIONS OF THIS CHAPTER; AND TO AMEND SECTION 44‑55‑1210, RELATING TO A COUNTY’S AUTHORITY TO REQUIRE THE COLLECTION AND DISPOSAL OF SOLID WASTE, SO AS TO PROVIDE THAT A COUNTY ORDINANCE IS VOID TO THE EXTENT THAT THE ORDINANCE RESTRICTS OR PROHIBITS SOLID WASTE DISPOSAL AT A PERMITTED FACILITY OR IMPEDES THE DEVELOPMENT OR IMPLEMENTATION OF A RECYCLING PROGRAM.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., March 22, 2012

Mr. President and Senators:

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

H. 3241 -- Reps. Owens, Stringer, G.R. Smith, Harrison, Daning, Hamilton, Bingham, Long, Henderson, Atwater, Lucas, Clemmons, Cooper, Horne, Simrill, D.C. Moss, Sandifer, Harrell, Erickson, Norman, Barfield and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑55 SO AS TO PROVIDE CHARTER SCHOOL POWERS AND DUTIES AND TO ALLOW A SPONSOR TO RETAIN CERTAIN FUNDS FOR OVERSEEING THE CHARTER SCHOOL; BY ADDING SECTION 59‑40‑175 SO AS TO CREATE THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM FOR THE CONSTRUCTION, PURCHASE, RENOVATION, AND MAINTENANCE OF PUBLIC CHARTER SCHOOL FACILITIES; TO AMEND SECTION 59‑40‑20, AS AMENDED, RELATING TO THE PURPOSE OF THE CHARTER SCHOOL ACT, SO AS TO INCLUDE AN ADDITIONAL PURPOSE; TO AMEND SECTION 59‑40‑40, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO AMEND EXISTING DEFINITIONS AND ADD NEW DEFINITIONS; TO AMEND SECTION 59‑40‑50, AS AMENDED, RELATING TO CHARTER SCHOOL POWERS AND DUTIES, SO AS TO ALLOW FOR THE APPLICATION TO CREATE A SINGLE GENDER CHARTER SCHOOL, REVISE PRIORITY ENROLLMENT LIMITS, PROVIDE FOR THE ELECTION OF A CHARTER SCHOOL BOARD OF DIRECTORS, PROVIDE FOR BOARD MEETING NOTICE REQUIREMENTS, ALLOW A CHARTER SCHOOL TO CONTRACT WITH PROVIDERS FOR STUDENT TRANSPORTATION, AND ALLOW CHARTER SCHOOL STUDENTS TO PARTICIPATE IN CERTAIN EXTRACURRICULAR ACTIVITIES UNDER CERTAIN CONDITIONS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO APPLICATION TO CREATE A CHARTER SCHOOL, SO AS TO CLARIFY WHAT MUST BE INCLUDED IN THE CONTRACT, AND TO REQUIRE THE DEPARTMENT OF EDUCATION TO CREATE A CONTRACT TEMPLATE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, SO AS TO REVISE ITS MEMBERSHIP AND TO EXTEND THE TIME PERIOD IN WHICH THE COMMITTEE SHALL DETERMINE APPLICATION COMPLIANCE AND THE TIME IN WHICH A LOCAL SCHOOL DISTRICT SHALL RULE ON THE APPLICATION; TO AMEND SECTION 59‑40‑100, AS AMENDED, RELATING TO CHARTER SCHOOL CONVERSION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE REGULATIONS PROVIDING FOR PAPER BALLOTS, TO REVISE PRIORITY ENROLLMENT PROCEDURES FOR A CONVERTED CHARTER SCHOOL, AND TO ALLOW A CONVERTED CHARTER SCHOOL TO RETAIN FACILITIES AND EQUIPMENT AVAILABLE BEFORE CONVERSION; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER, SO AS TO ALLOW A SPONSOR TO IMMEDIATELY REVOKE A CHARTER AND CLOSE THE SCHOOL UPON CERTAIN CONDITIONS; TO AMEND SECTION 59‑40‑140, AS AMENDED, RELATING TO DISTRIBUTION OF RESOURCES, SO AS TO PROVIDE FOR THE DISTRIBUTION OF FUNDS TO CHARTER SCHOOLS, TO REVISE WHAT THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT SHALL RECEIVE, TO ALLOW THE DEPARTMENT OF EDUCATION TO FINE SPONSORS THAT FAIL TO DISTRIBUTE CERTAIN FUNDS TO CHARTER SCHOOLS, AND TO REVISE REPORTING REQUIREMENTS; TO AMEND SECTION 59‑40‑190, AS AMENDED, RELATING TO LIABILITY OF A GOVERNING BODY OF A CHARTER SCHOOL, SO AS TO PROVIDE IMMUNITY TO A LOCAL SCHOOL DISTRICT FOR CRIMINAL OR CIVIL LIABILITY REGARDING ACTIVITIES RELATED TO A SPONSORED CHARTER SCHOOL; TO AMEND SECTION 59‑40‑230, RELATING TO THE BOARD OF TRUSTEES OF THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL, SO AS TO REVISE ITS MEMBERSHIP; AND TO AMEND SECTION 59‑40‑130, AS AMENDED, RELATING TO LEAVE TO BE EMPLOYED AT A CHARTER SCHOOL, SO AS TO PROVIDE THAT A CHARTER SCHOOL IS A COVERED EMPLOYER WITH RESPECT TO THE SOUTH CAROLINA RETIREMENT SYSTEMS FOR CERTAIN SCHOOL DISTRICT EMPLOYEES.

Very respectfully,

Speaker of the House

Received as information.

**SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 3241 -- Reps. Owens, Stringer, G.R. Smith, Harrison, Daning, Hamilton, Bingham, Long, Henderson, Atwater, Lucas, Clemmons, Cooper, Horne, Simrill, D.C. Moss, Sandifer, Harrell, Erickson, Norman, Barfield and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑55 SO AS TO PROVIDE CHARTER SCHOOL POWERS AND DUTIES AND TO ALLOW A SPONSOR TO RETAIN CERTAIN FUNDS FOR OVERSEEING THE CHARTER SCHOOL; BY ADDING SECTION 59‑40‑175 SO AS TO CREATE THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM FOR THE CONSTRUCTION, PURCHASE, RENOVATION, AND MAINTENANCE OF PUBLIC CHARTER SCHOOL FACILITIES; TO AMEND SECTION 59‑40‑20, AS AMENDED, RELATING TO THE PURPOSE OF THE CHARTER SCHOOL ACT, SO AS TO INCLUDE AN ADDITIONAL PURPOSE; TO AMEND SECTION 59‑40‑40, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO AMEND EXISTING DEFINITIONS AND ADD NEW DEFINITIONS; TO AMEND SECTION 59‑40‑50, AS AMENDED, RELATING TO CHARTER SCHOOL POWERS AND DUTIES, SO AS TO ALLOW FOR THE APPLICATION TO CREATE A SINGLE GENDER CHARTER SCHOOL, REVISE PRIORITY ENROLLMENT LIMITS, PROVIDE FOR THE ELECTION OF A CHARTER SCHOOL BOARD OF DIRECTORS, PROVIDE FOR BOARD MEETING NOTICE REQUIREMENTS, ALLOW A CHARTER SCHOOL TO CONTRACT WITH PROVIDERS FOR STUDENT TRANSPORTATION, AND ALLOW CHARTER SCHOOL STUDENTS TO PARTICIPATE IN CERTAIN EXTRACURRICULAR ACTIVITIES UNDER CERTAIN CONDITIONS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO APPLICATION TO CREATE A CHARTER SCHOOL, SO AS TO CLARIFY WHAT MUST BE INCLUDED IN THE CONTRACT, AND TO REQUIRE THE DEPARTMENT OF EDUCATION TO CREATE A CONTRACT TEMPLATE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, SO AS TO REVISE ITS MEMBERSHIP AND TO EXTEND THE TIME PERIOD IN WHICH THE COMMITTEE SHALL DETERMINE APPLICATION COMPLIANCE AND THE TIME IN WHICH A LOCAL SCHOOL DISTRICT SHALL RULE ON THE APPLICATION; TO AMEND SECTION 59‑40‑100, AS AMENDED, RELATING TO CHARTER SCHOOL CONVERSION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE REGULATIONS PROVIDING FOR PAPER BALLOTS, TO REVISE PRIORITY ENROLLMENT PROCEDURES FOR A CONVERTED CHARTER SCHOOL, AND TO ALLOW A CONVERTED CHARTER SCHOOL TO RETAIN FACILITIES AND EQUIPMENT AVAILABLE BEFORE CONVERSION; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER, SO AS TO ALLOW A SPONSOR TO IMMEDIATELY REVOKE A CHARTER AND CLOSE THE SCHOOL UPON CERTAIN CONDITIONS; TO AMEND SECTION 59‑40‑140, AS AMENDED, RELATING TO DISTRIBUTION OF RESOURCES, SO AS TO PROVIDE FOR THE DISTRIBUTION OF FUNDS TO CHARTER SCHOOLS, TO REVISE WHAT THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT SHALL RECEIVE, TO ALLOW THE DEPARTMENT OF EDUCATION TO FINE SPONSORS THAT FAIL TO DISTRIBUTE CERTAIN FUNDS TO CHARTER SCHOOLS, AND TO REVISE REPORTING REQUIREMENTS; TO AMEND SECTION 59‑40‑190, AS AMENDED, RELATING TO LIABILITY OF A GOVERNING BODY OF A CHARTER SCHOOL, SO AS TO PROVIDE IMMUNITY TO A LOCAL SCHOOL DISTRICT FOR CRIMINAL OR CIVIL LIABILITY REGARDING ACTIVITIES RELATED TO A SPONSORED CHARTER SCHOOL; TO AMEND SECTION 59‑40‑230, RELATING TO THE BOARD OF TRUSTEES OF THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL, SO AS TO REVISE ITS MEMBERSHIP; AND TO AMEND SECTION 59‑40‑130, AS AMENDED, RELATING TO LEAVE TO BE EMPLOYED AT A CHARTER SCHOOL, SO AS TO PROVIDE THAT A CHARTER SCHOOL IS A COVERED EMPLOYER WITH RESPECT TO THE SOUTH CAROLINA RETIREMENT SYSTEMS FOR CERTAIN SCHOOL DISTRICT EMPLOYEES.

On motion of Senator COURSON, the Senate insisted upon its amendments to H. 3241 and asked for a Committee of Conference.

Whereupon, Senators MATTHEWS, HAYES and FAIR were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**HOUSE CONCURRENCE**

S. 1303 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 15, 2012.

Returned with concurrence.

Received as information.

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

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

S. 1054 -- Senators Rose and Ford: A BILL TO AMEND SECTION 63‑7‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS REQUIRED TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT, SO AS TO EXPAND THE DELINEATED LIST OF PERSONS REQUIRED TO REPORT TO INCLUDE SCHOOL EMPLOYEES, COACHES, CAMP COUNSELORS, ANIMAL CONTROL OFFICERS, FIREFIGHTERS, AND OTHER PERSONS WHOSE DUTIES REQUIRE DIRECT CONTACT OR SUPERVISION OF CHILDREN, TO PROVIDE ANY PERSON MUST REPORT SUSPECTED SEXUAL OR PHYSICAL ABUSE OF A CHILD, TO PROVIDE THAT BOARD MEMBERS, CHIEF EXECUTIVE OFFICERS, DIRECTORS AND OTHER HEADS OF ORGANIZATIONS, ADMINISTRATORS, AND SUPERVISORS ARE REQUIRED TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT BY A STAFF MEMBER, TO PROVIDE FOR REPORTING TO THE COUNTY DEPARTMENT OF SOCIAL SERVICES UNDER CERTAIN CIRCUMSTANCES AND TO LAW ENFORCEMENT, AND TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO ESTABLISH, OPERATE, AND PUBLICIZE A TWENTY‑FOUR HOUR, STATEWIDE, TOLL‑FREE TELEPHONE NUMBER FOR THE REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT; AND TO AMEND SECTION 63‑7‑410, RELATING TO THE PENALTIES FOR FAILURE TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT, SO AS TO PROVIDE THAT A PERSON MAY NOT BE ADJUDICATED DELINQUENT FOR FAILURE TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT.

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

The Bill was read the third time and ordered sent the House of Representatives.

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

S. 1299 -- Senators Cleary, McGill and Ford: A BILL TO AMEND SECTION 54‑15‑20 OF THE 1976 CODE, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA COMMISSIONERS OF PILOTAGE FOR THE UPPER COASTAL AREA, TO INCREASE THE NUMBER OF MEMBERS ON THE COMMISSION FROM SIX TO EIGHT.

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

The Bill was read the third time and ordered sent the House of Representatives.

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

S. 1352 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4237, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

The Joint Resolution was read the third time and ordered sent the House of Representatives.

**READ THE SECOND TIME**

S. 1268 -- Senators Peeler, Shoopman and Ford: A JOINT RESOLUTION TO PROVIDE THAT IN 2013 AND 2014, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN THE MANUFACTURER’S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SEVEN HUNDRED TWO DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

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

Senator O’DELL explained the Joint Resolution.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Jackson Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McGill Nicholson

O'Dell Peeler Pinckney

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

**Total--0**

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

**Statement by Senator RANKIN**

Having been out of the Chamber at the time the vote was taken, I would have voted in favor of second reading of S. 1268.

**READ THE SECOND TIME**

H. 3221 -- Rep. Nanney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑53‑45 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO FILE ELECTRONICALLY ALL DOCUMENTS RELATING TO THE ENFORCED COLLECTION OF TAXES DUE THIS STATE WITH COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS IN THOSE COUNTIES WHICH ACCEPT ELECTRONIC FILINGS.

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

Senator HAYES explained the Bill.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Grooms

Hayes Hutto Jackson

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O'Dell Peeler

Pinckney Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

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

**Statement by Senator RANKIN**

Having been out of the Chamber at the time the vote was taken, I would have voted in favor of second reading of H. 3221.

**READ THE SECOND TIME**

H. 4797 -- Rep. Norman: A BILL TO AMEND SECTION 5‑31‑230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MUNICIPALITIES IN WHICH THERE ARE NO BOARD OF COMMISSIONERS OF PUBLIC WORKS, SO AS TO INCLUDE THE CITY OF TEGA CAY.

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

Senator LARRY MARTIN explained the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Grooms

Hutto Jackson Knotts

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

**Total--0**

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

**Statement by Senator RANKIN**

Having been out of the Chamber at the time the vote was taken, I would have voted in favor of second reading of H. 4797.

**COMMITTEE AMENDMENT ADOPTED**

**AMENDED, CARRIED OVER**

H. 3730 -- Reps. Munnerlyn, Sabb, Vick, Hayes, Tribble and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑9‑450 SO AS TO PROVIDE THAT A COMMERCIAL FUR LICENSE, IN ADDITION TO A STATE HUNTING LICENSE IS REQUIRED OF ALL PERSONS WHO SELL OR TAKE FURBEARING ANIMALS BY ANY MEANS, EXCEPT A PROCESSOR, MANUFACTURER, OR RETAILER, AND TO PROVIDE THAT A PERSON UNDER THE AGE OF SIXTEEN MAY PURCHASE A COMMERCIAL FUR LICENSE WITHOUT HAVING TO PURCHASE A STATE HUNTING LICENSE AFTER COMPLETING THE TRAPPERS EDUCATION COURSE; TO AMEND SECTION 50‑11‑40, RELATING TO THE UNLAWFUL USE OF RECORDED SOUNDS OR AMPLIFIED IMITATIONS OF CALLS OR SOUNDS BY A PERSON TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS, SO AS TO DELETE THE PROVISION THAT MAKES IT UNLAWFUL TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE HUNTING AND TAKING OF COYOTES; TO AMEND SECTION 50‑11‑1080, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES DECLARING OPEN SEASON ON COYOTES, SO AS TO PROVIDE THAT THERE IS NO CLOSED SEASON FOR HUNTING OR TAKING COYOTES WITH WEAPONS; TO AMEND SECTION 50‑11‑2400, RELATING TO DEFINITIONS OF CERTAIN TERMS THAT PERTAIN TO THE TRAPPING OF FURBEARING ANIMALS, SO AS TO REVISE THE DEFINITION OF THE TERMS “FURBEARING ANIMAL” AND “COMMERCIAL PURPOSES”, AND TO PROVIDE DEFINITIONS FOR THE TERMS “OWNER” AND “AGENT”; TO AMEND SECTION 50‑11‑2430, RELATING TO REQUIRING A FUR TRAPPER TO CARRY PROOF THAT HE IS THE OWNER OF THE PROPERTY ON WHICH HE SETS HIS TRAPS, OR HAS PERMISSION FROM THE OWNER OF THE PROPERTY UPON WHICH HIS TRAPS ARE SET, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50‑11‑2440, RELATING TO REQUIRING A TRAPPER TO VISIT HIS TRAPS DAILY, SO AS TO MODIFY THE FREQUENCY THAT A TRAPPER MUST VISIT HIS TRAPS; TO AMEND SECTION 50‑11‑2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE BY THE OWNERS OF TRAPS, SO AS TO ALLOW A TRAP OWNER’S DESIGNEE TO REMOVE WILDLIFE FROM HIS TRAPS, AND TO PROVIDE THAT A DESIGNEE MUST POSSESS WRITTEN PERMISSION FROM THE TRAP’S OWNER TO ACT ON HIS BEHALF AND MUST MEET ALL COMMERCIAL FUR LICENSING REQUIREMENTS OR BE LISTED ON A VALID DEPREDATION PERMIT; TO AMEND SECTION 50‑11‑2460, RELATING TO CERTAIN TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT RESTRICTS THE TYPES OF TRAPS THAT ARE ALLOWED TO THOSE THAT ARE IN ACCORDANCE WITH APPROVED COMMERCIAL FUR LICENSES, TO ALLOW FOR THE USE OF LIVE TRAPS TO CAPTURE CERTAIN FERAL ANIMALS, TO REVISE THE SIZE OF FOOT‑HOLD TRAPS THAT ARE ALLOWABLE, TO PROVIDE THAT SMALL SNAP, BOX, AND OTHER TRAPS ARE ALLOWED FOR TRAPPING; TO AMEND SECTION 50‑11‑2475, RELATING TO THE ISSUANCE OF A FUR PROCESSOR’S LICENSE, SO AS TO REVISE THE COST OF THE LICENSE, TO REQUIRE A TAXIDERMIST TO KEEP A DAILY REGISTER OF THE NAME AND ADDRESS OF EACH PERSON FROM WHOM A FURBEARING ANIMAL IS RECEIVED ALONG WITH OTHER INFORMATION ABOUT THE ANIMAL, AND TO MAKE TECHNICAL CHANGES; AND TO REPEAL SECTIONS 50‑11‑1060, 50‑11‑1070, AND 50-11-2420 RELATING TO THE ISSUANCE OF A COMMERCIAL FUR LICENSE, THE ISSUANCE OF A PERMIT TO POISON PREDATORY ANIMALS, AND THE KILLING OF BOBCATS.

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

The Committee on Fish, Game and Forestry proposed the following amendment (SWB\5177CM12), which was adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTIONS:

/ SECTION \_\_. Section 50‑9‑350(4) of the 1976 Code, as added by Act 233 of 2010, is amended to read:

(4) ~~The apprentice license is valid only during the license year in which it is issued, and the duration of any other hunting permits obtained with this license may not exceed that of the apprentice license~~ An apprentice license holder may obtain other hunting permits and tags which are required for specific hunting activities.

SECTION \_\_. Section 50‑11‑2570(A) of the 1976 Code is amended to read:

(A) The department may issue special permits, at no cost to the applicant, for the taking, capturing, or transportation of ~~a furbearing animal or another game animal~~ wildlife which is destroying or damaging private or public property, wildlife habitat, game species, timber, ~~or growing~~ crops, or other agriculture so as to be a nuisance or for scientific, ~~or~~ research, or wildlife management purposes. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The committee amendment was adopted.

Senator HUTTO proposed the following amendment (SWB\  
5220CM12), which was adopted:

Amend the bill, as and if amended, Section 50‑11‑2460, as contained in SECTION 8 on pages 5 and 6, by deleting Section 50‑11‑2460 in its entirety and inserting:

/ “Section 50‑11‑2460. ~~The~~ (A) Only the following traps are allowed for trapping ~~in accordance with an approved commercial fur license~~ unless otherwise provided in this title:

(1) body gripping traps (generally known by the brand name ‘Conibear’) when used without bait ~~or scents~~ for vertical water sets and vertical slide sets only;

(2) live traps, which also may be used to capture feral animals at any time without a license or permit from the department;

(3) foot‑hold traps having an inside jaw spread of 5.75 inches or smaller when measured perpendicular to the pivot points when the trap is in the set position for land sets and ~~6.50~~ 7.25 inches or smaller when measured perpendicular to the pivot points when the trap is in the set position for water sets;

(4) enclosed foot‑hold traps such as the ‘Duffer’, ‘egg’, ‘coon‑ cuff’, and similarly designed dog‑proof style traps designed for raccoons;

(5) snares may be used ~~in~~ for water sets only~~.~~ ; small snap, box, and other commonly used traps to capture commensal rodents or snakes in homes and businesses may be used by property owners, occupants, or their designees, at any time to capture snakes, rats, and mice.

(B) All other traps, including ‘deadfall’ traps, are unlawful unless expressly authorized by the department by regulation.

(C) All traps must bear the owner’s name and address either directly thereon or by an attached identification tag.

(D) It is unlawful to trap big game animals without a permit from the department. /

Amend the bill further, by adding the following appropriately numbered SECTIONS:

/ SECTION \_\_. Section 50‑11‑2640 of the 1976 Code is amended by adding at the end:

(D) Each animal taken or possessed in violation of this section constitutes a separate offense.

SECTION \_\_. Section 50‑11‑2650 of the 1976 Code is amended to read:

(A) Except as otherwise provided, a person who violates a provision of this article is guilty of a misdemeanor and, upon conviction, must be:

(1) for a first offense, fined not less than fifty dollars nor more than five hundred dollars or imprisoned not more than thirty days;

(2) for a second offense within two years of a conviction for the first offense, fined five hundred dollars or imprisoned not more than thirty days; and

(3) for a third or subsequent offense within two years of a conviction for the second offense, fined not less than one thousand dollars nor more than five thousand dollars or imprisoned for not more than six months.

(B) Each animal taken or possessed in violation of this article constitutes a separate offense. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

**CARRIED OVER**

S. 163 -- Senators Shoopman, Rose, Verdin and Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑95 SO AS TO CREATE THE OFFENSES OF UNLAWFULLY PROVIDING BEER OR WINE TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY‑ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 61‑6‑4083 SO AS TO CREATE THE OFFENSES OF UNLAWFULLY PROVIDING ALCOHOLIC LIQUORS TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY‑ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES.

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

**CARRIED OVER**

H. 3720 -- Reps. Cooper, Henderson and Patrick: A BILL TO AMEND SECTION 12‑6‑3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE JOBS TAX CREDIT, SO AS TO REVISE THE REQUIREMENTS OF A QUALIFYING SERVICE‑RELATED FACILITY AND A TECHNOLOGY INTENSIVE FACILITY; BY ADDING SECTION 12‑6‑3411 SO AS TO PROVIDE THAT A CORPORATION ESTABLISHING A NATIONAL CORPORATE HEADQUARTERS OR EXPANDING OR ADDING TO AN EXISTING NATIONAL CORPORATE HEADQUARTERS IN THIS STATE, WHICH IN CONNECTION THEREWITH ADDS AT LEAST FIFTY NEW FULL‑TIME JOBS SHALL BE EXEMPT FROM PAYING STATE CORPORATE INCOME TAXES FOR A PERIOD OF TEN YEARS; TO AMEND SECTION 12‑20‑105, AS AMENDED, RELATING TO TAX CREDITS FOR PROVIDING INFRASTRUCTURE, SO AS TO INCREASE THE MAXIMUM AGGREGATE CREDIT TO FOUR HUNDRED THOUSAND DOLLARS ANNUALLY; TO AMEND SECTIONS 4‑12‑30, 4‑29‑67, AND 12‑44‑90, ALL AS AMENDED, RELATING TO FEE IN LIEU OF TAXES, SO AS TO PROVIDE THAT A COUNTY AUDITOR OR COUNTY ASSESSOR MAY REQUEST AND OBTAIN ANY FINANCIAL BOOKS AND RECORDS FROM A SPONSOR THAT SUPPORT THE SPONSOR’S TAX FORM OR RETURN TO VERIFY THE CALCULATIONS OF THE FEE IN LIEU OF TAXES TAX FORM OR RETURN; AND TO AMEND SECTION 12‑36‑2120, AS AMENDED, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT COMPUTERS, COMPUTER EQUIPMENT, COMPUTER HARDWARE AND SOFTWARE PURCHASES FOR A DATACENTER AND ELECTRICITY USED BY A DATACENTER.

Senator O’DELL explained the Bill.

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

**Expression of Personal Interest**

Senator SHANE MARTIN rose for an Expression of Personal Interest.

**POINT OF ORDER**

H. 3083 -- Reps. Pitts, Daning, Toole, G.M. Smith, Clyburn, Bingham, J.R. Smith, Huggins, Young, Taylor, Long, H.B. Brown, Ryan, Whipper and R.L. Brown: A BILL TO ENACT THE “SOUTH CAROLINA CONSERVATION BANK REAUTHORIZATION ACT” BY AMENDING ACT 200 OF 2002, WHICH ENACTED THE “SOUTH CAROLINA CONSERVATION BANK ACT” AND PROVIDED FOR ITS FUNDING, SO AS TO DELETE THE SUNSETTING OF THAT ACT OTHERWISE EFFECTIVE JULY 1, 2013, AND TO MAKE VARIOUS SECTIONS OF THAT ACT PERMANENT LAW BY DESIGNATING SECTIONS 3, 5, 6, 8, 10, AND 11 OF ACT 200 OF 2002, RELATING RESPECTIVELY TO THE PORTION OF THE DEED RECORDING FEE DEDICATED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, THE SUSPENSION OF DEED RECORDING FEE REVENUE IN CERTAIN CIRCUMSTANCES, CONSERVATION EASEMENTS, BIENNIAL REPORTS TO THE GENERAL ASSEMBLY, USE OF CONSERVATION BANK FUNDS FOR BEACH CONSERVATION, AND USE OF CONSERVATION BANK FUNDS TO ACQUIRE LAND FOR STATE PARKS AS SECTIONS 12‑24‑96, 48‑59‑65, 27‑8‑37, 48‑59‑150, 48‑59‑160, AND 48‑59‑170, ALL OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976.

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

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**OBJECTION**

S. 45 -- Senators McConnell, Campsen and Ford: A BILL TO AMEND CHAPTER 15, TITLE 17 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 17‑15‑55, SO AS TO PROVIDE THAT THE CIRCUIT COURT SHALL CONSIDER MOTIONS REGARDING RECONSIDERATION OF BOND FOR GENERAL SESSIONS OFFENSES SET BY A SUMMARY COURT JUDGE; TO PROVIDE THAT FURTHER DEFENSE MOTIONS TO RECONSIDER BOND MAY BE HEARD BY THE CIRCUIT COURT ONLY UPON THE DEFENDANT’S PRIMA FACIE SHOWING OF A MATERIAL CHANGE IN CIRCUMSTANCE; TO PROVIDE THAT MOTIONS BY THE STATE TO REVOKE OR MODIFY A DEFENDANT’S BOND MUST BE MADE IN WRITING, STATE WITH PARTICULARITY THE GROUNDS FOR REVOCATION OR MODIFICATION, AND SET FORTH THE RELIEF OR ORDER SOUGHT; AND TO PROVIDE THAT, IF THE STATE’S MOTION TO REVOKE OR MODIFY BOND INCLUDES A PRIMA FACIE SHOWING OF IMMINENT DANGER TO THE COMMUNITY, OR IMMINENT DANGER TO THE DEFENDANT, OR FLIGHT BY THE DEFENDANT, THE CHIEF JUDGE OR PRESIDING JUDGE SHALL CONDUCT OR ORDER AN EMERGENCY HEARING WITHIN FORTY‑EIGHT HOURS.

Senator MALLOY objected to the Bill.

S. 781 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 97 TO TITLE 38 SO AS TO ENACT THE “PORTABLE ELECTRONICS INSURANCE ACT”, TO PROVIDE CERTAIN DEFINITIONS RELATED TO PORTABLE ELECTRONICS INSURANCE, TO PROVIDE REQUIREMENTS RELATING TO THE SALE OF PORTABLE ELECTRONICS INSURANCE, TO PROVIDE CERTAIN DISCLOSURE REQUIREMENTS OF A VENDOR OF PORTABLE ELECTRONICS INSURANCE TO THE PROSPECTIVE CONSUMER OF THIS INSURANCE, TO PROVIDE PENALTIES FOR A VIOLATION, AND TO PROVIDE LICENSURE FEES AND SURCHARGES.

Senator MALLOY objected to the Bill.

S. 1361 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE USE OF REFORMED MILITARY COMMISSIONS AT THE TRIAL OF ALLEGED TERRORISTS WHO WERE INVOLVED WITH ATTACKING INNOCENT AMERICANS, INTENTIONALLY CAUSING SERIOUS BODILY INJURIES, MURDER IN VIOLATION OF THE LAW OF WAR, AND PROVIDING MATERIAL SUPPORT OF TERRORISM.

Senator HUTTO objected to the Bill.

**MOTION ADOPTED**

On motion of Senator McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Nellie Bazen Joye, beloved mother of Ron Joye on the year anniversary of her passing, March 22, 2011. Ms. Joye dedicated her life to her church and children.

and

**MOTION ADOPTED**

On motion of Senators McGILL and CLEARY, with unanimous consent, the Senate stood adjourned out of respect to the memory of long-time County Council Chair Al Schooler, 87, of Georgetown, S.C. Mr. Schooler was a respected public servant and dedicated to improving Georgetown County.

**ADJOURNMENT**

At 12:26 P.M., on motion of Senator COURSON, 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.

**Recorded Vote**

Senator FORD desired to be recorded as voting against adjournment.

\* \* \*