**Tuesday, April 16, 2013**

**(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:

Scripture tells us that:

“When the dove returned to him in the evening, there in its beak was a freshly plucked olive leaf. Then Noah knew that the water had receded from the earth.” (Genesis 8:11)

Let us pray:

Today, O Lord, here in the Senate of South Carolina, we want to be people who -- like Noah -- continue to look forward so very hopefully. Yet once again, O God, do we all find ourselves brought up short by the reality of evil, in this instance by the horror of yesterday’s bombings at the finish line of the Boston Marathon. Dear Lord, embrace all who have been directly -- and indirectly -- affected by this tragedy. We pray today for those innocent runners and spectators who died or who were injured in the blasts, and for all others unsettled by the events of Monday afternoon. We ask You to bestow Your mercy, O God, and also to bring justice. Give every one of us strength of purpose as South Carolinians who care deeply for our friends far to the north. And, in the midst of it all, Holy God, by Your grace allow us in the Senate to continue looking forward, confident of Your promised care. This we humbly pray in Your compassionate and loving name, dear Lord.

Amen.

**Point of Quorum**

At 12:03 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Ford Gregory

Grooms Hayes Hembree

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Rankin

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Recorded Presence**

Senators FAIR, HUTTO and REESE recorded their presence subsequent to the Call of the Senate.

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 Appointments**

Initial Appointment, Director of Department of Revenue and Taxation, with term coterminous with Governor

Bill Blume, 3837 Colonel VanDerhorst Circle, Mt. Pleasant, SC 29466 *VICE* Jim Etter

Referred to the Committee on Finance.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2012, and to expire June 30, 2018

7th Congressional District:

Spencer A. Morris, 128 Belle Isle Road, Georgetown, SC 29440 *VICE* New Seat

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2010, and to expire August 15, 2014

At-Large:

David C. Goodall, 440 Spring Lake Road, Columbia, SC 29206 *VICE* Robert Thomas (resigned)

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Workers’ Compensation Commission, with the term to commence June 30, 2012, and to expire June 30, 2018

At-Large:

Andrea C. Roche, 2928 Forest Drive, Columbia, SC 29204

Referred to the Committee on Judiciary.

**REGULATION RECEIVED**

The following was received and referred to the appropriate committee for consideration:

Document No. 4341

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Section 50-13-2011

SUBJECT: Term and Conditions for the Public’s Use of Lakes and Ponds Owned and Leased by the Department of Natural Resources

Received by Lieutenant Governor April 15, 2013

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration March 22, 2014

**Doctor of the Day**

Senator CAMPSEN introduced Dr. Louie Costa of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

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

**Leave of Absence**

At 12:30 P.M., Senator BRIGHT requested a leave of absence beginning at 6:00 P.M. this evening and lasting until midnight Thursday.

**CO-SPONSORS ADDED**

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

S. 313 Sen. Johnson

S. 413 Sen. Johnson

S. 581 Sen. Shealy

S. 599 Sen. Cleary

**RECALLED**

H. 3568 -- Reps. Weeks, Sandifer and Gilliard: A BILL TO AMEND SECTION 16‑13‑385, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALTERING, TAMPERING WITH, OR BYPASSING ELECTRIC, GAS, OR WATER METERS, SECTION 58‑7‑60, RELATING TO THE UNLAWFUL APPROPRIATION OF GAS, AND SECTION 58‑7‑70, RELATING TO THE WRONGFUL USE OF GAS AND INTERFERENCE WITH GAS METERS, ALL SO AS TO RESTRUCTURE THE PENALTIES AND PROVIDE GRADUATED PENALTIES FOR VIOLATIONS OF THE STATUTES.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator NICHOLSON rose for an Expression of Personal Interest.

**Remarks by Senator NICHOLSON**

Thank you, Mr. PRESIDENT.

Fellow Senators, as we discussed the Bill dealing with motion pictures and tax rebates, I was reminded that this past weekend a great movie came out.

“42” is a story of Jackie Robinson breaking the racial barrier in baseball many years ago, really before a lot of you were born. It is interesting that the movie was the number one movie in the United States this past weekend. The interesting part about that is Chadwick Boseman, who portrays Jackie Robinson, is from South Carolina.

Senator BRYANT and Senator O’DELL, Mr. Boseman’s from Anderson, South Carolina and is a graduate of Hannah High School. He played a fantastic role. We have talked many times about the importance of movies here in South Carolina. This is not the first time Anderson has been recognized. Years ago, there was another movie, “Radio”, about a handicapped individual. It was about how the coach took him in as a student at the S.C. School for the Deaf and Blind and the impact that had on this individual's life.

But this young man from Anderson played an outstanding role in portraying Jackie Robinson in the movie “42”. I think we are to be commended because we are doing great things here in our State in this industry and craft. This young man is off to a great future. It is outstanding that this South Carolina native is now the lead actor in this number one movie in the nation. I wanted to make everyone aware, Senator O’DELL and Senator BRYANT, that they have a South Carolinian who played Jackie Robinson in this movie “42”.

Thank you.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 613 -- Senator Malloy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE MEMBERS OF NEW ZION AFRICAN METHODIST EPISCOPAL CHURCH AND TO CONGRATULATE THEM UPON THE COMPLETION OF THEIR NEWLY CONSTRUCTED WORSHIP CENTER.

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The Senate Resolution was adopted.

S. 614 -- Senators L. Martin, Nicholson, Campsen, Peeler, McGill, Alexander and Hayes: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 15, 2013, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2016; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIFTH CONGRESSIONAL DISTRICT SEAT, WHOSE TERM EXPIRES ON JUNE 30, 2017, AND FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES FOR THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FIFTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM EXPIRES ON JUNE 30, 2016.

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The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

S. 615 -- Senator Coleman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-3-120 SO AS TO PROVIDE THAT A FEDERALLY-CHARTERED OR STATE-CHARTERED BANKING INSTITUTION DOING BUSINESS IN THIS STATE AND IN AT LEAST ONE OTHER STATE, AS A CONDITION OF ITS AUTHORIZATION TO DO BUSINESS IN SOUTH CAROLINA, SHALL FILE A WRITTEN CONSENT WITH THE SECRETARY OF STATE WHEREBY THE INSTITUTION, ON BEHALF OF ITS OFFICERS, AGENTS, AND EMPLOYEES NOT LOCATED IN SOUTH CAROLINA, CONSENTS TO THE ACCEPTANCE OF AND RESPONSE TO SUBPOENAS, INCLUDING SUBPOENAS DUCES TECUM, SERVED UPON THESE OUT-OF-STATE OFFICERS, AGENTS, OR EMPLOYEES ARISING OUT OF THEIR OFFICIAL CAPACITY WITHOUT THE NECESSITY OF A COURT ORDER ISSUED IN CONJUNCTION WITH PENDING LITIGATION IN THE STATE OR FEDERAL COURTS IN SOUTH CAROLINA, AND TO PROVIDE THE PROCEDURES FOR AND CONDITIONS AND LIMITATIONS ON THE ISSUANCE AND COMPLIANCE WITH THESE SUBPOENAS.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 616 -- Senator Leatherman: A BILL TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO LOCAL SALES AND USE TAXES, TO ENACT THE “TRANSPORTATION INFRASTRUCTURE SALES TAX ACT”, TO PROVIDE THAT A COUNTY GOVERNING BODY MAY IMPOSE A ONE PERCENT SALES AND USE TAX BY ORDINANCE, SUBJECT TO A REFERENDUM, WITHIN THE COUNTY AREA FOR ROAD AND BRIDGE PROJECTS, FOR A LIMITED AMOUNT OF TIME, TO PROVIDE FOR THE SELECTION OF THE PROJECTS TO BE UNDERTAKEN, TO PROVIDE FOR THE REFERENDUM, TO PROVIDE FOR THE COLLECTION AND DISTRIBUTION OF THE TAX, AND TO PROVIDE FOR MEANS TESTED MATCHING BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 12-28-2740, RELATING TO COUNTY TRANSPORTATION COMMITTEES, TO PROVIDE THAT MEMBERS OF COUNTY AND MUNICIPAL GOVERNING BODIES MAY NOT BE APPOINTED TO SERVE ON COUNTY TRANSPORTATION COMMITTEES; TO AMEND SECTION 57-3-615, RELATING TO HIGHWAY TOLLS, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MUST CONDUCT COMPREHENSIVE CONGESTION ANALYSES ON INTERSTATE HIGHWAYS AND TO PERMIT TOLLS TO BE UTILIZED TO FUND INCREASED CAPACITY ON INTERSTATE HIGHWAYS, OR SEGMENTS OF INTERSTATE HIGHWAYS, THAT EXCEED CAPACITY LIMITS OF THAT HIGHWAY, OR SEGMENT OF INTERSTATE HIGHWAY; TO AMEND SECTION 56-3-620, RELATING TO REGISTRATION FEES FOR PRIVATE PASSENGER MOTOR VEHICLES, TO INCREASE REGISTRATION FEES, TO PROVIDE THAT TWELVE DOLLARS FROM EACH FEE SHALL BE REMITTED TO THE STATE HIGHWAY FUND, AND TO ESTABLISH THE PURPOSE FOR THE FEE; TO AMEND SECTION 56-3-640, RELATING TO VEHICLE REGISTRATION FEES FOR COMMON CARRIER PASSENGERS, TO INCREASE REGISTRATION FEES, TO PROVIDE THAT TWELVE DOLLARS FROM EACH FEE SHALL BE REMITTED TO THE STATE HIGHWAY FUND, AND TO ESTABLISH THE PURPOSE FOR THE FEE; TO AMEND ARTICLE 5, CHAPTER 3, TITLE 56, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING SECTION 56-3-645 TO PROVIDE THAT AFTER CERTAIN VEHICLE REGISTRATION FEES DEDICATED TO THE STATE HIGHWAY FUND HAVE FULLY MATCHED FUNDS AS PROVIDED BY LAW, THE REMAINDER OF THOSE FUNDS MAY BE USED BY THE DEPARTMENT OF TRANSPORTATION AT ITS DISCRETION SUBJECT TO FEDERAL AND STATE LAW; TO AMEND SECTION 56-3-660, RELATING TO REGISTRATION FEES FOR SELF-PROPELLED PROPERTY CARRYING VEHICLES, TO INCREASE REGISTRATION FEES AND TO PROVIDE THAT ONE-FOURTH OF THE REGISTRATION FEE MUST BE REMITTED TO THE STATE HIGHWAY FUND FOR INTERSTATE IMPROVEMENTS; AND TO AMEND CHAPTER 3, TITLE 56, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING SECTION 56-3-645 TO REQUIRE A BIENNIAL ROAD USER FEE FOR CERTAIN VEHICLES THAT ARE PROPELLED IN PART, OR COMPLETELY, BY FUEL OTHER THAN MOTOR FUEL, AND TO ESTABLISH THE AMOUNT OF THE FEE.

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

S. 617 -- Senator Alexander: A BILL TO AMEND SECTION 12-54-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISCLOSURE OF RECORDS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO ALLOW THE DISCLOSURE OF CERTAIN INFORMATION TO THE SECRETARY OF STATE ABOUT A TAXPAYER WHO FILED AN INITIAL OR FINAL CORPORATE RETURN; AND BY ADDING SECTION 12-58-165 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO EXPUNGE THE RECORDING OF A LIEN ONCE THE LIEN IS FULLY PAID AND SATISFIED.

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

S. 618 -- Senators Bright, Hutto, Bryant, Verdin, Fair, L. Martin, Grooms, Massey, S. Martin, Davis and Shealy: A BILL TO AMEND ARTICLE 5, CHAPTER 11, TITLE 1 OF THE 1976 CODE, RELATING TO STATE EMPLOYEES AND RETIREES INSURANCE, TO PROHIBIT EMPLOYER CONTRIBUTIONS TO THE STATE HEALTH INSURANCE PLAN FROM BEING USED TO PAY FOR ABORTIONS AND ANCILLARY SERVICES, TO PROVIDE THAT EMPLOYEE CONTRIBUTIONS MAY BE USED TO REIMBURSE EXPENSES AND ANCILLARY SERVICES ASSOCIATED WITH ABORTIONS PERFORMED IN CASES OF RAPE, INCEST, OR WHERE THE HEALTH OF THE MOTHER IS ENDANGERED, TO PROVIDE THAT REIMBURSEMENT MUST COME FROM A FUND CREATED SPECIFICALLY FOR THAT PURPOSE, TO ALLOW FOR SUBSCRIBERS TO OPT OUT OF PERMITTING A PORTION OF THEIR EMPLOYEE CONTRIBUTIONS FROM BEING TRANSFERRED TO THE FUND, TO PROVIDE FOR THE MEANS TO OPT OUT, AND TO ESTABLISH THE FUND AND TO PROVIDE FOR ITS PURPOSES.

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Senator BRIGHT spoke on the Bill.

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

S. 619 -- Senator Alexander: A BILL TO AMEND SECTION 41-31-45, RELATING TO DEBT STATUS ESTIMATES, TO PROVIDE THAT PAYMENTS TO ELIMINATE THE STATE'S UNEMPLOYMENT INSURANCE TRUST FUND DEBT TO THE FEDERAL GOVERNMENT MUST BE CALCULATED SO THAT THE DEBT IS ELIMINATED NO SOONER THAN JUNE 1, 2018, TO PROVIDE THAT TRUST FUND SOLVENCY MUST BE DETERMINED BY THE COMPTROLLER GENERAL, AND TO PROVIDE THAT EXCESS PAYMENTS TO THE FUND MUST BE CARRIED FORWARD TO THE NEXT SUCCESSIVE FISCAL YEAR AND USED TO CALCULATE THE AMOUNT NEEDED TO PAY BENEFITS FOR THAT YEAR; TO AMEND SECTION 41-31-150 AND SECTION 41-31-360 TO STRIKE REFERENCES TO THE DEPARTMENTAL ADMINISTRATIVE CONTINGENCY ASSESSMENT; TO AMEND ARTICLE 5, CHAPTER 27, TITLE 41 BY ADDING SECTION 41-27-660 TO REQUIRE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO COMPILE AND DISTRIBUTE AN ANNUAL REPORT CONCERNING THE DEPARTMENT’S ACCOUNTS, AND BY ADDING SECTION 41-27-670 TO ESTABLISH THE BUSINESS COMMUNITY ADVISORY COMMITTEE, PROVIDE FOR ITS MEMBERSHIP, AND ESTABLISH ITS DUTIES AND RESPONSIBILITIES; AND TO REPEAL SECTIONS 41-27-410, 41-31-55, 41-31-910, 41-31-920, AND 41-31-930 OF THE 1976 CODE.

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

S. 620 -- Senator Verdin: A BILL TO AMEND SECTION 56-3-2335 OF THE 1976 CODE, RELATING TO RESEARCH AND DEVELOPMENT LICENSE PLATES, TO INCLUDE THE MANUFACTURE AND RESEARCH AND DEVELOPMENT OF TRANSMISSIONS IN THIS STATE IN THE DEFINITION OF “RESEARCH AND DEVELOPMENT BUSINESS”, TO DEFINE THE TERM “TRANSMISSIONS”, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE RESEARCH AND DEVELOPMENT LICENSE PLATES FOR THE PURPOSE OF TESTING AND EVALUATING THE PERFORMANCE OF THE RESEARCH AND DEVELOPMENT BUSINESS’ TRANSMISSIONS ON THE MOTOR VEHICLE, AND THE DEPARTMENT MAY ENTER INTO RECIPROCAL AGREEMENTS WITH OTHER STATES CONCERNING THE REGISTRATION AND OPERATION OF VEHICLES OWNED BY A RESEARCH AND DEVELOPMENT BUSINESS FOR THE PURPOSE OF TESTING AND EVALUATING THE PERFORMANCE OF THE RESEARCH AND DEVELOPMENT BUSINESS’ TRANSMISSIONS, TO PROVIDE IT IS THE SOLE RESPONSIBILITY OF THE RESEARCH AND DEVELOPMENT BUSINESS OR CONTRACTED FLEET OWNER TO TAKE ANY OTHER ACTIONS REQUIRED BY ANOTHER STATE THAT ARE NECESSARY FOR THE RESEARCH AND DEVELOPMENT BUSINESS OR CONTRACTED FLEET OWNER, AND TO LEGALLY TEST AND EVALUATE THE PERFORMANCE OF THE RESEARCH AND DEVELOPMENT BUSINESS’ TRANSMISSIONS IN THAT STATE.

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

S. 621 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ASSISTING, DEVELOPING, AND EVALUATING PROFESSIONAL TEACHING (ADEPT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4325, 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. 622 -- Senator Matthews: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE LAKE MARION HIGH SCHOOL BOYS BASKETBALL TEAM FOR CAPTURING THE 2013 CLASS AA STATE CHAMPIONSHIP TITLE AND TO HONOR THE TEAM’S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

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The Senate Resolution was adopted.

S. 623 -- Senators Bright, Bryant, Verdin, Fair, Grooms, Cromer, S. Martin and Shealy: A BILL TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, TO ENACT THE “SOUTH CAROLINA HUMAN HEARTBEAT PROTECTION ACT”, BY ADDING SECTION 44-41-25 TO PROVIDE THAT PHYSICIANS OR ALLIED HEALTH PROFESSIONALS MUST CONDUCT A FETAL HEARTBEAT ABDOMINAL ULTRASOUND TEST PRIOR TO PERFORMING OR INDUCING AN ABORTION, TO PROHIBIT ABORTIONS WHEN A FETAL HEARTBEAT IS DETECTED, TO PROVIDE FOR INFORMATION TO BE GIVEN TO THE WOMAN, TO PROVIDE FOR REGULATIONS OF THE ULTRASOUND PROCEDURE AND STATISTICAL PROBABILITIES OF BRINGING A FETUS TO TERM, TO PROVIDE FOR EXEMPTIONS, TO DEFINE MEDICAL EMERGENCY FOR THE PURPOSES OF THE SECTION, AND TO PROVIDE FOR PENALTIES.

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Senator BRIGHT spoke on the Bill.

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

S. 624 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CANDICE GLOVER OF BEAUFORT COUNTY FOR HER SUCCESS ON AMERICAN IDOL AND TO WISH HER GODSPEED AS SHE CONTINUES HER QUEST TO BECOME THE SEASON TWELVE AMERICAN IDOL.

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

S. 625 -- Senators Bright, S. Martin, Bryant, Verdin, Fair, L. Martin, Grooms, Davis and Shealy: A BILL TO AMEND SECTION 38-79-30 OF THE 1976 CODE, RELATING TO VOLUNTEER HEALTH CARE PROVIDERS, TO PROVIDE THAT A LICENSED HEALTH CARE PROVIDER WHO RENDERS MEDICAL SERVICES VOLUNTARILY AND WITHOUT COMPENSATION OR THE EXPECTATION OR PROMISE OF COMPENSATION AND SEEKS NO REIMBURSEMENT FROM CHARITABLE AND GOVERNMENTAL SOURCES TO AT LEAST TEN PERCENT OF HIS PATIENTS IN A CALENDAR YEAR SHALL NOT BE LIABLE IN ANY ACTION FOR NONECONOMIC DAMAGES ALLEGING MEDICAL MALPRACTICE IN AN AMOUNT THAT EXCEEDS TWO HUNDRED FIFTY THOUSAND DOLLARS.

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Senator BRIGHT spoke on the Bill.

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

S. 626 -- Senator Bright: A BILL TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, TO ENACT THE “SOUTH CAROLINA PAIN-CAPABLE UNBORN CHILD PROTECTION ACT”, TO PROVIDE FOR FINDINGS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A PHYSICIAN OR ALLIED HEALTH PROFESSIONAL MUST CALCULATE THE PROBABLE POST CONCEPTION AGE OF THE EMBRYO OR FETUS PRIOR TO PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED AFTER THE PROBABLE POST CONCEPTION AGE OF THE EMBRYO OR FETUS IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO PROVIDE FOR EDUCATIONAL MATERIALS TO BE PRODUCED AND DISTRIBUTED, TO PROVIDE THAT THE SECTION DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER SECTION OF LAW, AND TO DEFINE NECESSARY TERMS.

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Senator BRIGHT spoke on the Bill.

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

S. 627 -- Senator Verdin: A BILL TO AMEND CHAPTER 3, TITLE 57 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF TRANSPORTATION, BY ADDING SECTION 57-3-165, TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE PERMITS FOR THE TRANSPORT OF “UNPROCESSED FOREST PRODUCTS”, TO DEFINE THE TERM, TO PROVIDE FOR THE CONTENTS OF THE PERMIT AND ITS RESTRICTIONS, TO PROVIDE FOR THE FEE ASSESSED FOR THE ISSUANCE OF THE PERMIT, AND TO PROVIDE THAT COLLECTED FEES SHALL BE PLACED IN THE STATE HIGHWAY FUND.

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

S. 628 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-5-35 SO AS TO PROVIDE THAT A PARENT’S RIGHT TO DIRECT THE UPBRINGING, EDUCATION, AND CARE OF THE PARENT’S CHILD IS A FUNDAMENTAL RIGHT, TO PROHIBIT THE STATE FROM INFRINGING ON THIS RIGHT, AND TO PROVIDE AN EXCEPTION.

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

S. 629 -- Senator McGill: A CONCURRENT RESOLUTION TO COMMEND THE MEMBERS OF THE AMERICAN LEGION RIDERS OF SOUTH CAROLINA FOR THEIR CONDUCT AND SPONSORSHIP OF THE 2013 MOTORCYCLE BENEFIT RIDE TO BE HELD ON APRIL 20 AND APRIL 21, 2013, WHICH EACH YEAR RAISES SUBSTANTIAL FUNDS FOR SCHOLARSHIPS FOR CHILDREN WHO HAVE HAD A PARENT KILLED ON ACTIVE MILITARY SERVICE SINCE SEPTEMBER 11, 2001.

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

H. 3372 -- Reps. Sandifer, Owens, Pitts, Branham, Toole, Sottile, Horne, Willis and Wood: A BILL TO AMEND SECTION 56-3-1960, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF PARKING PLACARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT A PERSON WHO SUBMITS AN APPLICATION FOR A PLACARD TO THE DEPARTMENT MAY SUBMIT A CERTIFICATE FROM A LICENSED ADVANCED PRACTICE REGISTERED NURSE OR A LICENSED PHYSICIAN ASSISTANT THAT CERTIFIES HE IS HANDICAPPED, AND TO PROVIDE THAT A CERTIFICATE FROM A LICENSED ADVANCED PRACTICE REGISTERED NURSE OR A LICENSED PHYSICIAN ASSISTANT IS NOT REQUIRED TO BE SUBMITTED ALONG WITH AN APPLICATION FOR PLACARDS ISSUED TO AN AGENCY, ORGANIZATION, OR FACILITY.

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

H. 3437 -- Reps. Toole, Harrell, Ballentine, Atwater, Hayes, Gambrell, K. R. Crawford, Govan, Alexander, Huggins, Anderson, Kennedy, Skelton, Patrick, Hardee, Erickson, W. J. McLeod, R. L. Brown, Dillard, Edge, George, Hamilton, Hosey, Jefferson, Long, Mitchell, D. C. Moss, Pitts, Powers Norrell, Ridgeway, Spires, Weeks, Whipper, Whitmire, Williams, V. S. Moss, Southard, Henderson, Wood, Cole, Stringer, Loftis, Quinn, Allison, Horne and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 2 SO AS TO CREATE A JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, TO CONDUCT A CONTINUING STUDY OF THE LAWS OF THIS STATE AFFECTING ECONOMIC DEVELOPMENT, TO PROVIDE THE MEMBERSHIP OF THE COMMITTEE, AND TO PROVIDE THE STAFFING OF THE COMMITTEE.

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

H. 3444 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 40-43-83, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE FACILITIES DEALING WITH PRESCRIPTION DRUGS IN A CERTAIN CAPACITY, SO AS TO APPLY NOTICE PROVISIONS TO OUT-OF-STATE FACILITIES THAT SIMILARLY DEAL WITH PRESCRIPTION DRUGS, TO PROVIDE ALL SUCH FACILITIES PERMITTED IN THIS STATE MUST PROVIDE NOTICE OF DISCIPLINARY ACTION TO THE PHARMACY BOARD, TO PROVIDE AN OUT-OF-STATE FACILITY MUST PAY SPECIFIC EXPENSES CONCERNING AN INSPECTION OF ITS FACILITIES BY THE BOARD, AND TO PROVIDE THE BOARD MAY CONTRACT WITH A THIRD-PARTY TO INSPECT FACILITIES OF A LICENSEE; AND TO AMEND SECTION 40-43-89, RELATING TO WHOLESALE DISTRIBUTOR PERMITS, SO AS TO REQUIRE A SURETY BOND OR LETTER OF CREDIT, TO REQUIRE A CRIMINAL BACKGROUND CHECK OF THE APPLICANT, TO PROVIDE REQUIREMENTS FOR THE CERTIFICATION AND CONDUCT OF A DESIGNATED REPRESENTATIVE OF A WHOLESALE DISTRIBUTOR.

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

H. 3504 -- Reps. Delleney, Bedingfield, Toole, Loftis, Hamilton, Norman, Pitts and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE THAT GOLD AND SILVER COINS MINTED FOREIGN OR DOMESTIC SHALL BE LEGAL TENDER IN THIS STATE, AND TO PROVIDE THAT NO PERSON MAY COMPEL ANOTHER PERSON TO TENDER OR ACCEPT GOLD OR SILVER COIN UNLESS AGREED UPON BY THE PARTIES.

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

H. 3538 -- Reps. Bannister, Tallon, Sandifer, Hamilton, Erickson, Gambrell, Brannon, Allison, Felder and Weeks: A BILL TO AMEND SECTION 16-17-500, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS FOR MINORS, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16-17-501, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF RELEVANT TOBACCO PRODUCT FOR MINORS OFFENSES, SO AS TO DEFINE THE TERMS “ALTERNATIVE NICOTINE PRODUCT” AND “ELECTRONIC CIGARETTE”; AND TO AMEND SECTIONS 16-17-502, 16-17-503, AND 16-17-504, RELATING TO DISTRIBUTION OF TOBACCO PRODUCT SAMPLES, ENFORCEMENT AND REPORTING, AND IMPLEMENTATION, RESPECTIVELY, ALL SO AS TO MAKE CONFORMING CHANGES TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS.

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

H. 3580 -- Reps. D. C. Moss, Pitts, Pope, Patrick, McEachern, Bannister, Delleney, Tallon and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-23-140 SO AS TO PROVIDE FOR THE CERTIFICATION OF CANINE TEAMS.

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

H. 3623 -- Reps. Atwater and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-77-127 SO AS TO PROVIDE THAT AN AUTOMOBILE INSURER MUST VERIFY THE COVERAGE OF AN INSURED BY ELECTRONIC FORMAT TO A MOBILE ELECTRONIC DEVICE UPON REQUEST OF THE INSURED, AND TO PROVIDE A NECESSARY DEFINITION; AND TO AMEND SECTION 56-10-225, RELATING TO REQUIREMENTS FOR MAINTAINING PROOF OF FINANCIAL RESPONSIBILITY IN AN AUTOMOBILE, SO AS TO PERMIT THE USE OF A MOBILE ELECTRONIC DEVICE TO SATISFY THESE REQUIREMENTS.

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

H. 3937 -- Rep. Funderburk: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, APRIL 11, 2013, AS “CITY OF CAMDEN DAY” IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Invitations.

H. 3957 -- Rep. Henderson: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MAY 1, 2013, IMMEDIATELY FOLLOWING THE ELECTION OF CERTAIN MEMBERS TO THE PUBLIC SERVICE COMMISSION, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, COASTAL CAROLINA UNIVERSITY, COLLEGE OF CHARLESTON, FRANCIS MARION UNIVERSITY, LANDER UNIVERSITY, MEDICAL UNIVERSITY OF SOUTH CAROLINA, SOUTH CAROLINA STATE UNIVERSITY, WINTHROP UNIVERSITY, AND WIL LOU GRAY OPPORTUNITY SCHOOL TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE ON JUNE 30, 2013, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

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

**REPORT OF STANDING COMMITTEE**

Senator HAYES from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 148 -- Senators Shealy, Bryant and Gregory: A BILL TO AMEND CHAPTER 20, TITLE 37 OF THE 1976 CODE, RELATING TO CONSUMER IDENTITY THEFT PROTECTION, BY ADDING SECTION 37‑20‑161, TO PROVIDE FOR CERTAIN MEASURES TO SAFEGUARD A CLASS OF “PROTECTED CONSUMERS” FROM BECOMING VICTIMS OF IDENTITY THEFT, TO ALLOW REPRESENTATIVES, PROVIDING SUFFICIENT PROOF OF AUTHORITY, TO PLACE A PREEMPTIVE SECURITY FREEZE ON PROTECTED CONSUMER’S CREDIT REPORTS, TO PROVIDE THE LIMITATIONS OF THIS SECTION, TO PROVIDE REQUIREMENTS TO IMPLEMENT A SECURITY FREEZE, TO PROVIDE FOR THE DURATION AND EXTENT OF A SECURITY FREEZE, AND TO PROVIDE TERMS FOR REMOVAL OF A SECURITY FREEZE ON A PROTECTED CONSUMER’S CREDIT REPORT OR RECORD.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 594 -- Senator Courson: A CONCURRENT RESOLUTION TO COMMEND AMY ROOF HOFFMAN OF LEXINGTON COUNTY FOR HER SEVEN YEARS OF OUTSTANDING AND DEDICATED SERVICE WITH THE CAPITAL CITY/LAKE MURRAY COUNTRY REGIONAL TOURISM BOARD AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

S. 604 -- Senators Allen, Alexander, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Ford, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE RALPH ANDERSON FOR HIS YEARS OF DISTINGUISHED SERVICE AND FOR HIS SIGNIFICANT CONTRIBUTIONS IN THE SOUTH CAROLINA GENERAL ASSEMBLY DURING HIS NOTEWORTHY PUBLIC CAREER.

Returned with concurrence.

Received as information.

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

**THIRD READING BILLS**

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

S. 163 -- Senators Campbell, McGill, O’Dell, Cleary, Ford and Alexander: A BILL TO AMEND SECTION 12-62-50 OF THE 1976 CODE, RELATING TO THE TAX REBATE TO A MOTION PICTURE PRODUCTION COMPANY BY THE SOUTH CAROLINA FILM COMMISSION, TO PROVIDE THAT THE REBATE MAY NOT EXCEED TWENTY PERCENT OF THE TOTAL AGGREGATE PAYROLL FOR PERSONS SUBJECT TO INCOME TAX WITHHOLDINGS OF SOUTH CAROLINA AND MAY NOT EXCEED TWENTY-FIVE PERCENT FOR RESIDENTS OF SOUTH CAROLINA AND FOR PERSONS EMPLOYED WITH THE PRODUCTION WHEN TOTAL PRODUCTION COSTS IN THIS STATE EQUAL OR EXCEED ONE MILLION DOLLARS DURING THE TAXABLE YEAR; AND TO AMEND SECTION 12-62-60, RELATING TO REBATES TO MOTION PICTURE PRODUCTION COMPANIES, TO PROVIDE THAT THE DEPARTMENT MAY REBATE UP TO THIRTY PERCENT OF THE EXPENDITURES IN SOUTH CAROLINA IF THERE IS A MINIMUM IN‑STATE EXPENDITURE OF ONE MILLION DOLLARS.

S. 334 -- Senators Leatherman, O’Dell, Bryant, Matthews, Jackson, Malloy, McGill, Fair, Coleman, Ford, Johnson, McElveen, Pinckney, Scott, Setzler, Williams, Nicholson, Allen, Lourie and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑4‑352 SO AS TO REQUIRE THE GOVERNOR TO DEVELOP A PROTECTION PLAN TO MINIMIZE THE ACTUAL AND POTENTIAL COSTS AND EFFECTS OF IDENTITY THEFT DUE TO THE CYBER SECURITY BREACH AT THE DEPARTMENT OF REVENUE BY PROVIDING IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES, TO REQUIRE THE GOVERNOR TO DEVELOP A POLICY THAT ENSURES THE SAFETY OF ALL PERSONALLY IDENTIFIABLE INFORMATION IN THE POSSESSION OF THE DEPARTMENT OF REVENUE, INCLUDING THE ENCRYPTION OF PERSONALLY IDENTIFIABLE INFORMATION, TO SET FORTH THE PROCESS BY WHICH IDENTITY THEFT PROTECTION AND RESOLUTION SERVICES ARE PROCURED, TO REQUIRE THE GOVERNOR AND THE DEPARTMENT OF REVENUE TO ATTEMPT TO MAKE ENROLLMENT IN THESE PROGRAMS AS EASY AS POSSIBLE, TO PROVIDE THAT THESE PROGRAMS MUST BE FREE OF CHARGE TO THE ELIGIBLE PERSONS, AND TO DEFINE TERMS; BY ADDING SECTION 12‑6‑1141, SO AS TO PROVIDE AN INDIVIDUAL INCOME TAX DEDUCTION FOR THE ACTUAL COSTS, BUT NOT EXCEEDING TWO HUNDRED DOLLARS FOR AN INDIVIDUAL TAXPAYER, AND NOT EXCEEDING THREE HUNDRED DOLLARS FOR A JOINT RETURN OR A RETURN CLAIMING DEPENDENTS, INCURRED BY A TAXPAYER IN THE TAXABLE YEAR TO PURCHASE IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES; BY ADDING PART 7 TO CHAPTER 6, TITLE 37 SO AS TO ESTABLISH WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS THE IDENTITY THEFT UNIT AND TO PROVIDE ITS DUTIES; BY ADDING CHAPTER 36 TO TITLE 1 SO AS TO ESTABLISH THE DEPARTMENT OF INFORMATION SECURITY, TO PROVIDE THAT THE MISSION OF THE DEPARTMENT OF INFORMATION SECURITY IS TO PROTECT THE STATE’S INFORMATION AND CYBER SECURITY INFRASTRUCTURE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INFORMATION SECURITY IS THE CHIEF INFORMATION SECURITY OFFICER OF THE STATE AND TO PROVIDE THE CHIEF INFORMATION SECURITY OFFICER IS APPOINTED BY THE GOVERNOR, AND TO DEFINE TERMS, TO ESTABLISH THE TECHNOLOGY INVESTMENT COUNCIL TO ADOPT AND ANNUALLY REVIEW A STATEWIDE TECHNOLOGY PLAN, TO PROVIDE FOR THE MEMBERSHIP OF THE COUNCIL, AND TO REQUIRE REPORTS; TO AMEND SECTION 1‑3‑240, AS AMENDED, RELATING TO OFFICERS THAT ONLY MAY BE REMOVED BY THE GOVERNOR FOR CAUSE, SO AS TO ADD THE CHIEF INFORMATION SECURITY OFFICER; TO AMEND SECTION 1‑30‑10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF INFORMATION SECURITY; AND BY ADDING CHAPTER 79 TO TITLE 2 SO AS TO CREATE THE JOINT INFORMATION SECURITY OVERSIGHT COMMITTEE TO CONDUCT A CONTINUING STUDY OF THE LAWS OF THIS STATE AFFECTING CYBER SECURITY, INCLUDING THE RECEIPT OF IMPEDIMENTS TO IMPROVED CYBER SECURITY, AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE.

S. 37 -- Senators Campsen, Scott and Ford: A BILL TO AMEND SECTION 7‑13‑35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7‑13‑40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES’ QUALIFICATIONS, AND THE FILING FEE, TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7‑13‑190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7‑13‑350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

S. 465 -- Senator Hayes: A BILL TO AMEND SECTION 38‑71‑1330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT, SO AS TO REVISE THE DEFINITION OF AN “ELIGIBLE EMPLOYEE”.

Senator HAYES explained the Bill.

**SECOND READING BILL**

The following Bill, having been read the second time, was ordered placed on the Third Reading Calendar:

S. 612 -- Senator Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ACT 961 OF 1974, RELATING TO THE ELECTION AND TERMS OF THE COMMISSIONERS OF PUBLIC WORKS FOR THE TOWN OF SUMMERVILLE IN DORCHESTER COUNTY.

On motion of Senator BENNETT

**READ THE SECOND TIME**

S. 484 -- Senator Setzler: A BILL TO AMEND SECTION 9‑11‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISABILITY RETIREMENT FOR MEMBERS OF THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO DELETE THE REQUIREMENT THAT CERTAIN MEMBERS BE ELIGIBLE FOR, AND PROVIDE PROOF OF, SOCIAL SECURITY BENEFITS TO CONTINUE TO RECEIVE A DISABILITY BENEFIT.

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

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Cromer Davis

Fair Ford Gregory

Grooms Hayes Jackson

Johnson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Young

**Total--40**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 401 -- Senators O’Dell and Coleman: A BILL TO AMEND SECTION 59‑121‑55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF FUNDS OR PROPERTY BY THE CITADEL BOARD OF VISITORS TO A NONPROFIT ELEEMOSYNARY CORPORATION ESTABLISHED BY THE BOARD, SO AS TO REMOVE A LIMIT ON THE AMOUNT OF FUNDS OR PROPERTY THAT THE BOARD MAY TRANSFER TO THE CORPORATION.

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

The Committee on Education proposed the following amendment (AGM\401C001.AGM.AB13), which was adopted:

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

/ SECTION 1. Section 59‑121‑55(B) of the 1976 Code is amended to read:

“(B) The Board of Visitors is further authorized to transfer ~~not exceeding twenty million dollars of nonstate appropriated~~ funds and property ~~it~~ privately donated to the college, and income or proceeds derived from these privately donated funds and property, that the board holds in its name or in the college’s name for scholarship and other college support purposes to the nonprofit corporation formed pursuant to subsection (A). These funds, ~~and~~ property, and income and proceeds derived from them, must be used by the nonprofit corporation for its stated purposes, except that any restrictions or limitations applicable to a specified portion of these funds or property continue to be applicable after the transfer of ~~those~~ the funds, ~~or~~ property, and income and proceeds derived from them, to the nonprofit corporation. Any encumbrances or liability on the funds, ~~and~~ property, and income and proceeds derived from them so transferred must be assumed by the nonprofit corporation.”

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

Renumber sections to conform.

Amend title to conform.

Senator O’DELL explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Hutto Johnson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 417 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “MILITARY SERVICE OCCUPATION, EDUCATION, AND CREDENTIALING ACT”; BY ADDING SECTION 59‑101‑400 SO AS TO PROVIDE A PUBLIC, POST‑SECONDARY INSTITUTION OF HIGHER EDUCATION IN THIS STATE MAY AWARD EDUCATIONAL CREDIT TO AN HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES FOR A COURSE THAT IS PART OF HIS MILITARY TRAINING OR SERVICE, SUBJECT TO CERTAIN CONDITIONS, AND TO REQUIRE THE INSTITUTION TO IMPLEMENT RELATED POLICIES AND REGULATIONS WITHIN A SPECIFIED TIME FRAME; BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 40 SO AS TO PROVIDE MISCELLANEOUS LICENSURE PROVISIONS FOR MILITARY PERSONNEL, TO PROVIDE A PERSON LICENSED BY BOARD OR COMMISSION UNDER THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IS EXEMPT FROM CONTINUING EDUCATION REQUIREMENTS AND FEE ASSESSMENTS DURING ACTIVE DUTY IN THE UNITED STATES ARMED FORCES, TO PROVIDE A BOARD OR COMMISSION MAY ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE A BOARD OR COMMISSION MAY ACCEPT CERTAIN COURSEWORK OR EXPERIENCE OBTAINED DURING THE COURSE OF MILITARY SERVICE TO SATISFY RELATED PROFESSIONAL OR OCCUPATIONAL EDUCATION OR TRAINING LICENSURE REQUIREMENTS; AND TO REPEAL SECTIONS 40‑1‑75 RELATING TO EXEMPTING ACTIVE DUTY MILITARY PERSONNEL FROM CONTINUING EDUCATION REQUIREMENTS, AND 40‑1‑77 RELATING TO TEMPORARY PROFESSIONAL OR OCCUPATIONAL LICENSES FOR MILITARY SPOUSES, THE SUBSTANCE OF WHICH ARE INCORPORATED INTO THE NEW ARTICLE ADDED BY THIS ACT.

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

Senator O’DELL explained the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Rankin Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

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

**ADOPTED**

S. 602 -- Senators Coleman, Hayes, Jackson, Sheheen, Peeler and Gregory: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 901 IN YORK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 72 TO ITS INTERSECTION WITH CHERRY ROAD “STATE REPRESENTATIVE BESSIE MOODY‑LAWRENCE MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “STATE REPRESENTATIVE BESSIE MOODY‑LAWRENCE MEMORIAL HIGHWAY”.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER, AS AMENDED**

S. 8 -- Senator L. Martin: A BILL TO AMEND SECTION 47-3-110, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE LIABILITY OF AN OWNER OR KEEPER OF A DOG FOR A DOG ATTACK, TO PROVIDE THAT LIABILITY DOES NOT EXTEND TO TRAINED LAW ENFORCEMENT DOGS IN THE PERFORMANCE OF OFFICIAL DUTIES OR DOGS ACTING IN DEFENSE OF A PERSON; AND TO AMEND CHAPTER 23, TITLE 23 BY ADDING SECTION 23‑23‑140, RELATING TO PATROL CANINE TEAMS.

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

The Committee on Judiciary proposed the following amendment (JUD0008.001), which was adopted:

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

/ SECTION 1. Section 47-3-110 of the 1976 Code is amended to read:

“Section 47‑3‑110. (A) ~~Whenever any~~ If a person is bitten or otherwise attacked by a dog while the person is in a public place or is lawfully in a private place, including the property of the dog owner ~~of the dog~~ or ~~other~~ person having the dog in ~~his~~ the person’s care or keeping, the dog owner ~~of the dog~~ or ~~other~~ person having the dog in ~~his~~ the person’s care or keeping is liable for the damages suffered by the person bitten or otherwise attacked. For the purposes of this section, a person bitten or otherwise attacked is lawfully in a private place, including the property of the dog owner ~~of the dog~~ or ~~other~~ person having the dog in ~~his~~ the person’s care or keeping, when the person bitten or otherwise attacked is on the property in the performance of ~~any~~ a duty imposed upon ~~him~~ the person by the laws of this State, ~~by~~ the ordinances of ~~any~~ a political subdivision of this State, ~~by~~ the laws of the United States of America, including, but not limited to, postal regulations, or when the person bitten or otherwise attacked is on the property upon the invitation, express or implied, of the property owner ~~of the property~~ or ~~of any~~ a lawful tenant or resident of the property. ~~If a person provokes a dog into attacking him then the owner of the dog is not liable.~~

(B) This section does not apply if:

(1) the person who was attacked provoked or harassed the dog leading to the attack;

(2) the dog is working in a law enforcement capacity with a governmental agency and in the performance of the dog’s official duties provided that:

(a) the dog is trained and certified according to the standards adopted by the South Carolina Law Enforcement Training Council;

(b) the governmental agency has adopted a written policy on the necessary and appropriate use of dogs in the dog’s official law enforcement duties;

(c) the actions of the dog’s handler or dog do not violate the agency’s written policy; and

(d) the attack or bite does not occur on a third party by-stander not involved in the criminal investigation, search, or arrest; or

(3) the dog is defending the life, health, or safety of the dog’s owner, handler, or another person.”

SECTION 2. Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23‑23‑140. (A) For purposes of this section, ‘patrol canine teams’ refers to a certified officer and a specific patrol canine controlled by the handler working together in the performance of law enforcement or correctional duties. ‘Patrol canine teams’ does not refer to canines used exclusively for tracking or specific detection.

(B) The South Carolina Criminal Justice Academy shall verify that patrol canine teams have been certified by a nationally recognized police dog association or similar organization.

(C) No law enforcement agency may utilize patrol canine teams after July 1, 2014, unless the patrol canine teams have met all certification requirements.”

SECTION 3. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**CARRIED OVER**

S. 306 -- Senators Campsen and Ford: A BILL TO AMEND SECTION 50‑1‑130 OF THE 1976 CODE, RELATING TO PENALTIES ASSOCIATED WITH MISDEMEANOR OFFENSES CONTAINED IN TITLE 50, TO REVISE THE PENALTIES FOR THESE OFFENSES, AND TO PROVIDE THAT MAGISTRATE’S COURT HAS BOTH ORIGINAL AND CONCURRENT JURISDICTION OVER MISDEMEANOR OFFENSES.

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

**CARRIED OVER**

S. 274 -- Senators L. Martin and Sheheen: A BILL TO AMEND SECTION 16‑13‑385, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALTERING, TAMPERING WITH, OR BYPASSING ELECTRIC, GAS, OR WATER METERS, SECTION 58‑7‑60, RELATING TO THE UNLAWFUL APPROPRIATION OF GAS, AND SECTION 58‑7‑70, RELATING TO THE WRONGFUL USE OF GAS AND INTERFERENCE WITH GAS METERS, ALL SO AS TO RESTRUCTURE THE PENALTIES AND PROVIDE GRADUATED PENALTIES FOR VIOLATIONS OF THE STATUTES.

On motion of Senator LARRY MARTIN, the Bill was carried over.

**AMENDEMENT PROPOSED, CARRIED OVER**

S. 463 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑53‑95 SO AS TO REQUIRE THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A PROFESSIONAL SURETY BONDSMAN OR RUNNER MUST PROVIDE HIS BUSINESS, MAILING, RESIDENTIAL, AND EMAIL ADDRESSES WITH THE APPLICATION, TO PROVIDE HE MUST NOTIFY THE DEPARTMENT OF A CHANGE OF ANY OF THESE ADDRESSES OR A LEGAL NAME CHANGE WITHIN THIRTY DAYS, AND TO PROVIDE A PENALTY FOR A VIOLATION; TO AMEND SECTION 38‑43‑107, AS AMENDED, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS AN INSURANCE PRODUCER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; TO AMEND SECTION 38‑47‑15, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS AN ADJUSTER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; TO AMEND SECTION 38‑48‑30, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A PUBLIC ADJUSTER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; AND TO AMEND SECTION 38‑49‑25, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A MOTOR VEHICLE PHYSICAL DAMAGE APPRAISER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS.

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

Senator CROMER proposed the following amendment (NL\463C001.NL.AB13):

Amend the bill, as and if amended, by adding an appropriately penultimate SECTION to read:

/ SECTION \_\_. Section 38-53-90 of the 1976 Code is amended to read:

“Section 38-53-90. (A) Before a license is issued to an applicant permitting him to act as a professional bondsman or runner, the applicant shall furnish to the director or his designee a complete set of his fingerprints and a recent passport size full‑face photograph in the manner prescribed by the director. Before a license is issued to a new or renewal applicant permitting him to act as a professional, surety bondsman, or runner, the applicant must undergo a state criminal records check, supported by his fingerprints, by the South Carolina Law Enforcement Division (SLED) and a national criminal records check, supported by his fingerprints, by the Federal Bureau of Investigation (FBI). The results of these criminal records checks must be reported by the department. The cost associated with the criminal history record must be borne by the applicant. The applicant’s fingerprints must be certified by an authorized law enforcement officer.

(B) Before being issued the license, every applicant for a license as a professional bondsman, surety bondsman, or runner shall certify to the director that he:

~~(a)~~(1) is eighteen years of age or older;

~~(b)~~(2) is a resident of this State;

~~(c)~~(3) is a person of good moral character and has not been convicted of a felony or any crime involving moral turpitude within the last ten years;

~~(d)~~(4) has knowledge, training, or experience of sufficient duration and extent to satisfy reasonably the director or his designee that he possesses the competence necessary to fulfill the responsibilities of a licensee.” /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

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

**CARRIED OVER**

S. 481 -- Senators Malloy, McGill, Leatherman, Setzler and Johnson: A BILL TO AMEND SECTION 12‑21‑2425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMISSIONS LICENSE TAX EXEMPTION FOR A MOTORSPORTS ENTERTAINMENT COMPLEX, SO AS TO REQUIRE THE COMPLEX TO BE A NASCAR SANCTIONED SPEEDWAY THAT HOSTS AT LEAST ONE RACE EACH YEAR FEATURING THE PREEMINENT NASCAR CUP SERIES, INSTEAD OF REQUIRING THE SPEEDWAY TO HAVE AT LEAST SIXTY THOUSAND SEATS FOR RACE PATRONS.

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

**CARRIED OVER**

S. 530 -- Senators Hayes, Campbell and L. Martin: A BILL TO AMEND SECTION 38‑71‑1730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLOSED PANEL HEALTH PLANS, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EMPLOYERS THAT OFFER ONLY CLOSED PANEL HEALTH PLANS TO ITS EMPLOYEES ALSO OFFER A POINT‑OF‑SERVICE OPTION TO ITS EMPLOYEES, TO MAKE CONFORMING CHANGES, AND TO INCREASE THE ALLOWABLE DIFFERENCES BETWEEN COINSURANCE PERCENTAGES FOR IN‑NETWORK AND OUT‑OF‑NETWORK COVERED SERVICES AND SUPPLIES UNDER A POINT‑OF‑SERVICE OPTION.

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

**CARRIED OVER**

H. 3540 -- Reps. Harrell, J.E. Smith, Bales, Hosey, Cobb‑Hunter, Bannister, J.R. Smith, Patrick, Brannon, Erickson, Taylor, Huggins, Kennedy, Ballentine, Bernstein, Sellers, Williams, Jefferson, M.S. McLeod, Atwater, Bowers, R.L. Brown, Cole, Douglas, George, Hixon, Long, McCoy, Mitchell, Pitts, Pope, G.R. Smith, Tallon, Wood, Weeks, Knight and Hart: A BILL TO AMEND SECTION 1‑3‑240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE ADJUTANT GENERAL TO THE LIST OF OFFICERS OR ENTITIES THE GOVERNING BOARD OF WHICH MAY BE REMOVED BY THE GOVERNOR ONLY FOR CERTAIN REASONS CONSTITUTING CAUSE; TO AMEND SECTION 25‑1‑320, RELATING TO THE STATE ADJUTANT GENERAL, SO AS TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE 2014 GENERAL ELECTION, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR‑YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY THAT FOLLOWS THE GENERAL ELECTION THAT MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS ACT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO ESTABLISH CERTAIN QUALIFICATIONS FOR THE OFFICE OF ADJUTANT GENERAL; TO AMEND SECTION 25‑1‑340, AS AMENDED, RELATING TO VACANCIES IN THE OFFICE OF ADJUTANT GENERAL, SO AS TO DELETE A REFERENCE TO THE ELIGIBILITY REQUIREMENTS OF CONSTITUTIONAL OFFICERS; AND TO PROVIDE THAT THE ABOVE PROVISIONS ARE EFFECTIVE UPON THE RATIFICATION OF AMENDMENTS TO SECTION 7, ARTICLE VI, AND SECTION 4, ARTICLE XIII OF THE CONSTITUTION OF THIS STATE DELETING THE REQUIREMENT THAT THE STATE ADJUTANT GENERAL BE ELECTED BY THE QUALIFIED ELECTORS OF THIS STATE.

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

**CARRIED OVER**

H. 3624 -- Reps. Herbkersman, Bingham, Merrill, Harrell, Newton and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9‑4‑15 SO AS TO PROVIDE THAT THE STATE SHALL DEFEND MEMBERS OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY (PEBA) AGAINST CLAIMS AND SUITS ARISING OUT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES, AND REQUIRE THAT THE STATE INDEMNIFY THESE DIRECTORS FOR ANY LOSS OR JUDGMENT INCURRED BY THEM WITH RESPECT TO SUCH A CLAIM OR SUIT, TO PROVIDE THAT THE STATE SHALL DEFEND PEBA OFFICERS AND MANAGEMENT EMPLOYEES AGAINST CLAIMS AND SUITS ARISING OUT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES UNLESS THE OFFICER OR MANAGEMENT EMPLOYEE WAS ACTING IN BAD FAITH, AND REQUIRE THAT THE STATE INDEMNIFY PEBA OFFICERS AND MANAGEMENT EMPLOYEES FOR ANY LOSS OR JUDGMENT INCURRED BY THEM WITH RESPECT TO SUCH A CLAIM OR SUIT, AND TO EXTEND THE REQUIREMENT TO DEFEND AND INDEMNIFY MEMBERS OF THE BOARD OF DIRECTORS, OFFICERS, AND MANAGEMENT EMPLOYEES OF PEBA TO SUCH PERSONS AFTER LEAVING OFFICE OR EMPLOYMENT WITH PEBA FOR OFFICIAL DUTIES UNDERTAKEN BY THEM WHILE SERVING AS A DIRECTOR, OFFICER, OR MANAGEMENT EMPLOYEE OF PEBA.

Senator SETZLER explained the Bill.

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

**AMENDED, CARRIED OVER**

H. 3638 -- Reps. Harrell, Stavrinakis, Limehouse and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 55‑1‑80 SO AS TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO COUNTY AVIATION COMMISSIONS AND TO PROVIDE THAT IN COUNTIES WITH TWO MUNICIPALITIES WITH A POPULATION IN EXCESS OF FIFTY THOUSAND, THE MAYORS OF THESE MUNICIPALITIES SHALL SERVE, EX OFFICIO, AS MEMBERS OF THE COMMISSION.

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

Senator GROOMS proposed the following amendment (3638R002.LKG), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 1-2 and inserting:

/ (D) A member of a county aviation commission who is appointed by the Governor upon the recommendation of a county legislative delegation, the house delegation, or the senatorial delegation may be removed by a majority of the membership of the respective delegation that recommended the member.

(E) The provisions of this section do not apply in the case of any multicounty aviation commission or like authority.”/

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Senator CAMPSEN proposed the following amendment (3638R003.GEC), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_\_. Act 130 of 2007 is repealed. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

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

**CARRIED OVER**

S. 259 -- Senator Thurmond: A BILL TO AMEND SECTION 59‑111‑320 OF THE 1976 CODE, RELATING TO PERSONS AGE SIXTY AND OVER ATTENDING CLASSES AT STATE‑SUPPORTED COLLEGES, UNIVERSITIES, AND TECHNICAL SCHOOLS WITHOUT PAYMENT OF TUITION, TO DELETE THE PROVISION THAT THESE PERSONS RECEIVING COMPENSATION AS FULL‑TIME EMPLOYEES MUST PAY TUITION.

Senator THURMOND explained the Bill.

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

**CARRIED OVER**

H. 3541 -- Reps. Harrell, J.E. Smith, Bales, Williams, Bannister, J.R. Smith, Patrick, Brannon, Erickson, Huggins, Kennedy, Ballentine, M.S. McLeod, Bernstein, Atwater, Cole, Funderburk, George, Hixon, Long, McCoy, W.J. McLeod, Pitts, Pope, G.R. Smith, Tallon, Taylor, Wood and Knight: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE ADJUTANT GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED; AND TO AMEND SECTION 4, ARTICLE XIII, RELATING TO THE ADJUTANT AND INSPECTOR GENERAL, SO AS TO DELETE AN OBSOLETE REFERENCE TO INSPECTOR GENERAL, TO MAKE A CONFORMING CHANGE TO THE RANK OF THE ADJUTANT GENERAL, TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS AMENDMENT, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR‑YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY FOLLOWING THE GENERAL ELECTION, WHICH MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS AMENDMENT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE ADJUTANT GENERAL MAY BE REMOVED FROM OFFICE.

On motion of Senator MALLOY, the Joint Resolution was carried over.

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

**MOTION ADOPTED**

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

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Alphonso ‘Von’ Devlin, Sr. of Greenwood, S.C. Mr. Devlin was one of the original members and manager of the Golden Stars Quintet of Greenwood, S.C. He retired from the Commission of Public Works. He was the loving husband of Edna, wonderful father and doting grandfather and great-grandfather.

and

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Lamar Lightsey of Greenwood, S.C. He was a US Army veteran of World War II, serving in the Pacific Theatre. He served as president of Chickasaw Processing Company from 1956 until his retirement in 1987. He was the loving husband of Margery, devoted father and doting grandfather and great-grandfather.

**ADJOURNMENT**

At 1:43 P.M., on motion of Senator PEELER, the Senate adjourned to meet tomorrow at 2:00 P.M.

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