**Tuesday, February 18, 2014**

**(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:

As the Psalmist proclaims:

“O Lord, our Sovereign, how majestic is Your name in all the earth!”

(Psalm 8:9)

Bow in prayer with me, please:

Holy God, we do pray that here in this Senate Chamber these leaders will strive to honor You always. For even as Abigail Adams wrote in 1776 to her husband, President John Adams, it is You, Lord God, “who gives strength and power unto Your people.” All who serve You are to “trust in You at all times,” that President’s wife added. May it ever be so even today, O God. Grant that a clear sense of devotion, duty, selfless service, and obligation always motivate each Senator in ways that ultimately result in successes which benefit every South Carolinian. This we pray in Your loving and majestic name, dear Lord. Amen.

**Rule 1C**

Under the provisions of Rule 1C, Senator COURSON declared the Senate adjourned on February 11, 12 and 13, 2014, due to severe winter weather in the State.

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

**Leave of Absence**

At 12:05 P.M., Senator SHANE MARTIN requested a leave of absence beginning at 5:45 P.M. on Wednesday, February 19, 2014, and lasting until 7:15 A.M. on Monday, February 24, 2014.

**Leave of Absence**

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

**Leave of Absence**

At 12:05 P.M., Senator LEATHERMAN requested a leave of absence beginning at 5:30 P.M.

**Leave of Absence**

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

**Doctor of the Day**

Senator McELVEEN introduced Dr. Meredith Stanton, Doctor of Psychiatry, of Sumter, S.C., Doctor of the Day.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 987 Sen. Corbin

S. 120 Sen. Grooms

S. 813 Sen. O’Dell

**CO-SPONSOR REMOVED**

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

S. 115 Sen. Davis

**Point of Quorum**

At 12:10 P.M., Senator SCOTT made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Bennett Bright Bryant

Campbell Corbin Courson

Cromer Davis Fair

Hayes Hembree Kimpson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen O'Dell Peeler

Scott Setzler Shealy

Thurmond Turner Williams

Young

A quorum being present, the Senate resumed.

**Recorded Presence**

Senator McGILL recorded his presence subsequent to the Call of the Senate.

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1019 -- Senators Cleary, Campbell and Alexander: A SENATE RESOLUTION TO COMMEND AND SUPPORT THE DEMOCRATIZATION EFFORTS OF TAIWAN AND THE NATION'S MEANINGFUL PARTICIPATION IN THE WORLD HEALTH ORGANIZATION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, AND OTHER INTERNATIONAL ORGANIZATIONS, AND TO EXTEND MOST SINCERE BEST WISHES FOR CONTINUED COOPERATION AND SUCCESS.

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

S. 1020 -- Senator Cromer: A SENATE RESOLUTION TO EXPRESS THE PROFOUND GRATITUDE OF THE MEMBERS OF THE SOUTH CAROLINA SENATE TO DEBORAH FRANCIS ON THE OCCASION OF HER RETIREMENT AND TO WISH HER GREAT SUCCESS ON ALL OF HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1021 -- Senator Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "CHARLESTON UNIVERSITY ACT" BY ADDING CHAPTER 120 TO TITLE 59 SO AS TO CREATE CHARLESTON UNIVERSITY TO EVENTUALLY BE CONSTITUTED BY MERGING THE COLLEGE OF CHARLESTON AND THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, INCLUDING ITS HOSPITAL AUTHORITY, INTO ONE INSTITUTION AS DETERMINED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY; TO PROVIDE THIS MERGER MUST OCCUR BEFORE JULY 1, 2016; TO PROVIDE THAT THE FORMER COLLEGE OF CHARLESTON MUST BE KNOWN AS THE "CHARLESTON UNIVERSITY CAMPUS" AND THE FORMER MEDICAL UNIVERSITY OF SOUTH CAROLINA MUST BE KNOWN AS THE "CHARLESTON UNIVERSITY MEDICAL CAMPUS"; TO CREATE A BOARD OF TRUSTEES OF THE UNIVERSITY; TO PROVIDE FOR THE COMPOSITION, POWERS, AND DUTIES OF THE BOARD AND MISCELLANEOUS MATTERS CONCERNING THE BOARD; TO PROVIDE THAT UNTIL THE MERGER OCCURS THE PRIMARY FOCUS OF THE CHARLESTON UNIVERSITY BOARD OF TRUSTEES MUST BE THE COMPLETION OF A MERGER PLAN; TO PROVIDE THIS PLAN MUST BE PRESENTED TO THE GOVERNOR AND THE GENERAL ASSEMBLY BEFORE JULY 1, 2015, AND TO PROVIDE CONTENT REQUIREMENTS FOR THE REPORT; AND TO PROVIDE CERTAIN REQUIREMENTS FOR APPROPRIATIONS, CAPITAL IMPROVEMENT BONDS, AND REVENUE BONDS; TO AMEND SECTION 59-107-10, RELATING TO STATE SUPPORTED INSTITUTIONS OF HIGHER LEARNING IN SOUTH CAROLINA, SECTION 59-123-10, RELATING TO THE NAME OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, SECTION 59-123-40, AS AMENDED, RELATING TO THE MANAGEMENT AND CONTROL OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, SECTION 59-123-60, RELATING TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, ALL SO AS TO MAKE CONFORMING CHANGES; TO PROVIDE THAT ANY REFERENCE TO THE COLLEGE OF CHARLESTON, UNIVERSITY OF CHARLESTON, MEDICAL UNIVERSITY OF SOUTH CAROLINA IN A LEGISLATIVE ENACTMENT, STATUTE, OR REGULATION MUST BE CONSTRUED TO MEAN CHARLESTON UNIVERSITY; TO REDESIGNATE CHAPTER 123, TITLE 59 AS "CHARLESTON UNIVERSITY MEDICAL CAMPUS AND THE HOSPITAL AUTHORITY"; TO REDESIGNATE CHAPTER 130, TITLE 59 AS "CHARLESTON UNIVERSITY CAMPUS"; AND TO REPEAL SECTION 59-123-50, RELATING TO THE ELECTION OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SECTION 59-130-10 RELATING TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON, SECTION 59-130-30 RELATING TO POWERS OF THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON, AND SECTION 59-130-40 RELATING TO MEETINGS OF THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON.

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

S. 1022 -- Senator Hembree: A SENATE RESOLUTION TO ACKNOWLEDGE AND COMMEND FRANK V. BOULINEAU III OF NORTH MYRTLE BEACH FOR THE MANY CONTRIBUTIONS HE HAS MADE TO HIS COMMUNITY AND TO THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1023 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE CLEMSON UNIVERSITY'S BROOKS CENTER FOR THE PERFORMING ARTS ON THE OCCASION OF ITS TWENTIETH ANNIVERSARY.

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The Senate Resolution was adopted.

S. 1024 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR VETS WITH A MISSION (VWAM) FOR ITS OUTSTANDING WORK IN PROVIDING HUMANITARIAN ASSISTANCE AND SPIRITUAL MINISTRY TO VIETNAM'S POOR AND TO CONGRATULATE THIS FINE ORGANIZATION ON THE OCCASION OF ITS TWENTY-FIFTH ANNIVERSARY.

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The Senate Resolution was adopted.

S. 1025 -- Senator Alexander: A SENATE RESOLUTION TO DECLARE FEBRUARY 2014 AS TEEN DATING VIOLENCE AWARENESS MONTH THROUGHOUT SOUTH CAROLINA AND TO URGE THE GENERAL PUBLIC TO WORK TOWARD ENDING TEEN DATING VIOLENCE BY EMPOWERING YOUNG PEOPLE TO DEVELOP HEALTHIER RELATIONSHIPS, ASSISTING VICTIMS IN ACCESSING THE INFORMATION AND SUPPORTIVE SERVICES THEY NEED, CREATING BETTER AND MORE RESOURCES FOR YOUNG PEOPLE IN NEED, INSTITUTING EFFECTIVE INTERVENTION AND PREVENTION POLICIES IN SCHOOLS AND ENGAGING IN DISCUSSIONS WITH FAMILY MEMBERS AND PEERS TO PROMOTE AWARENESS AND PREVENTION OF THE QUIET EPIDEMIC OF TEEN DATING VIOLENCE.

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

S. 1026 -- Senator Alexander: A BILL TO AMEND SECTION 29-5-440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUITS ON CONTRACTOR PAYMENT BONDS, SO AS TO PROVIDE THAT CERTAIN WRITTEN NOTICE REQUIRED OF A REMOTE CLAIMANT MUST BE SENT BY CERTIFIED OR REGISTERED MAIL, AND MUST GENERALLY CONFORM WITH STATUTORY LIMITS ON THE AGGREGATE AMOUNT OF LIENS FILED BY A SUB-SUBCONTRACTOR OR SUPPLIER; TO PROVIDE ANY PAYMENT BOND SURETY FOR THE BONDED CONTRACTOR SHALL HAVE THE SAME RIGHTS AND DEFENSES OF THE BONDED CONTRACTOR; TO MAKE THE LANGUAGE APPLICABLE TO ANY PAYMENT BOND WHETHER PRIVATE, COMMON LAW, PUBLIC, OR STATUTORY IN NATURE, WHEN THE BONDS ARE NOT OTHERWISE REQUIRED OR GOVERNED BY STATUTE; AND TO PROVIDE NECESSARY DEFINITIONS.

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

S. 1027 -- Senator Alexander: A BILL TO AMEND SECTION 12-54-250 OF THE 1976 CODE, RELATING TO THE REQUIREMENT OF PAYMENT IN IMMEDIATELY AVAILABLE FUNDS, TO CHANGE THE REQUIREMENT FROM FIFTEEN THOUSAND DOLLARS TO ONE THOUSAND DOLLARS, AND TO REQUIRE THE SETTLEMENT OF THOSE FUNDS IN THE STATE'S ACCOUNT ON OR BEFORE TWO BANKING DAYS FOLLOWING THE DUE DATE OF THE TAX AS PROVIDED BY LAW.

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

S. 1028 -- Senator Alexander: A BILL TO AMEND SECTION 50-25-1010, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT ON TUGALO LAKE, SO AS TO INCREASE THE AMOUNT OF HORSEPOWER A WATERCRAFT MOTOR MAY USE ON TUGALO LAKE FROM TWENTY TO TWENTY-FIVE HORSEPOWER.

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

S. 1029 -- Senator Shealy: A BILL TO AMEND SECTION 16-25-20 OF THE 1976 CODE, RELATING TO CRIMINAL DOMESTIC VIOLENCE OFFENSES AND PENALTIES, TO INCREASE THE PENALTY FOR SECOND OFFENSE CRIMINAL DOMESTIC VIOLENCE TO NINETY DAYS NOR MORE THAN THREE YEARS, TO PROVIDE THAT THE COURT MUST ORDER PARTICIPATION IN A DOMESTIC VIOLENCE INTERVENTION PROGRAM FOR A PERSON CONVICTED OF A CRIMINAL DOMESTIC VIOLENCE OFFENSE, AND A JUDGE MAY ALLOW A RESTRICTION ON FIREARMS AND AMMUNITION AS A CONDITION OF BOND; TO AMEND SECTION 16-25-30, RELATING TO THE ILLEGAL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A DOMESTIC VIOLENCE OFFENSE, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON CONVICTED OF A CRIMINAL DOMESTIC VIOLENCE OFFENSE OR A PERSON SUBJECT TO AN ORDER OF PROTECTION FOR DOMESTIC OR FAMILY VIOLENCE TO SHIP, TRANSPORT, OR RECEIVE A FIREARM OR AMMUNITION, TO PROVIDE FOR THE SURRENDER OF FIREARMS TO THE APPROPRIATE COUNTY SHERIFF, AND TO PROVIDE NOTICE TO A PERSON TO WHOM THE STATUTE APPLIES; TO AMEND SECTION 16‑25‑65, RELATING TO CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, TO PROVIDE THAT THE COURT MUST ORDER PARTICIPATION IN A DOMESTIC VIOLENCE INTERVENTION PROGRAM AND ALLOW A RESTRICTION ON FIREARMS AND AMMUNITION AS A CONDITION OF BOND; TO AMEND SECTION 20‑4‑60, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO A PET OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF A PET, AND TO FURTHER SPECIFY CIRCUMSTANCES UNDER WHICH MUTUAL ORDERS MAY BE GRANTED; AND TO AMEND CHAPTER 3, TITLE 16, RELATING TO OFFENSES AGAINST THE PERSON, BY ADDING ARTICLE 18, TO PROVIDE NECESSARY DEFINITIONS AND TO ESTABLISH A PROCEDURE FOR THE ISSUANCE OF PERMANENT AND EMERGENCY CIVIL NO‑CONTACT ORDERS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE DURATION OF CIVIL NO‑CONTACT ORDERS, AND TO PROVIDE A PENALTY FOR THE VIOLATION OF CIVIL NO‑CONTACT ORDERS.

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

H. 3833 -- Reps. Horne, Bannister and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-738 SO AS TO ALLOW THE HOLDER OF A RETAIL WINE PERMIT FOR OFF-PREMISES CONSUMPTION WHOSE RETAIL SPACE IS AT LEAST TEN THOUSAND SQUARE FEET AND WHOSE PRIMARY PRODUCT IS NOT BEER, WINE, OR DISTILLED SPIRITS TO CONDUCT UP TO TWENTY-FOUR WINE TASTINGS IN A CALENDAR QUARTER, AND TO PROVIDE RESTRICTIONS; AND BY ADDING SECTION 61-4-965 SO AS TO ALSO ALLOW THE HOLDER OF A RETAIL PERMIT AUTHORIZING THE SALE OF BEER FOR OFF-PREMISES CONSUMPTION WHOSE RETAIL SPACE IS AT LEAST TEN THOUSAND SQUARE FEET AND WHOSE PRIMARY PRODUCT IS NOT BEER, WINE, OR DISTILLED SPIRITS TO CONDUCT UP TO TWENTY-FOUR BEER TASTINGS IN A CALENDAR QUARTER, AND TO PROVIDE RESTRICTIONS.

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

H. 4505 -- Rep. Bowen: A CONCURRENT RESOLUTION TO JOIN THE SOUTH CAROLINA AND GEORGIA JOINT WATER CAUCUS TO ENCOURAGE STATE AGENCIES, IN CONJUNCTION WITH THE U.S. ARMY CORPS OF ENGINEERS, TO IMPLEMENT A WATER MANAGEMENT PROGRAM FOR THE SAVANNAH RIVER BASIN TO ENSURE CONTINUOUS OPTIMIZATION OF WATER QUALITY AND QUANTITY MANAGEMENT OF THE WATER RESOURCES SHARED BY SOUTH CAROLINA AND GEORGIA THROUGHOUT THE SAVANNAH RIVER BASIN.

The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

H. 4576 -- Reps. Anderson, Harrell, Hosey, Hardwick, Spires, Gilliard, King, Parks, Williams, Anthony, Clyburn, Gambrell, Jefferson, Bowen, Brannon, R. L. Brown, George, Hayes, Hixon, Lowe, Mack, W. J. McLeod, D. C. Moss, Munnerlyn, Norman, Putnam, Robinson-Simpson, Tallon and Thayer: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNING BODY OF A SCHOOL DISTRICT MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR UP TO FIVE FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND A SCHOOL, CHARTER SCHOOL, OR APPROVED HOME SCHOOL PROGRAM IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013-2014 SCHOOL YEAR.

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

H. 4603 -- Reps. Sottile, Harrell, Goldfinch, Crosby, McCoy, Erickson, Murphy, Stavrinakis, Bowen and Forrester: A JOINT RESOLUTION TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ISSUE OR APPROVE ORDERS ALLOWING SAND SCRAPING AND SANDBAGGING FOR THE PROTECTION OF GOLF COURSES.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

**REPORTS OF STANDING COMMITTEES**

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

S. 748 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 30, TITLE 44 SO AS TO BE ENTITLED “IMMUNITY FROM LIABILITY FOR PROVIDING FREE HEALTH CARE SERVICES”, AND TO PROVIDE THAT THE SERVICES OF A HEALTH CARE PROVIDER TREATING A PATIENT FREE OF CHARGE ARE DEEMED TO BE WITHIN THE SCOPE OF THE GOOD SAMARITAN STATUTE; TO REENTITLE CHAPTER 30, TITLE 44 AS “HEALTH CARE PROFESSIONALS”; AND TO DESIGNATE SECTIONS 44‑30‑10 THROUGH 44‑30‑90 AS ARTICLE 1, CHAPTER 30, TITLE 44, ENTITLED “HEALTH CARE PROFESSIONAL COMPLIANCE ACT”.

Ordered for consideration tomorrow.

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

S. 840 -- Senator Bryant: A BILL TO AMEND SECTION 44‑53‑1640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUBMISSION OF CERTAIN INFORMATION BY DISPENSERS AS PART OF THE STATE PRESCRIPTION MONITORING PROGRAM, SO AS TO REVISE THE MANNER OF SUBMISSION; AND TO AMEND SECTION 44‑53‑1650, RELATING TO CONFIDENTIALITY AND RELEASE OF DATA FROM THE STATE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE A COURT ORDER FOR THE RELEASE OF CERTAIN INFORMATION FOR RESEARCH AND EDUCATION PURPOSES, AND TO REQUIRE A COURT ORDER TO RELEASE INFORMATION TO CERTAIN INDIVIDUALS WHEN THE REQUEST IS FOR SYSTEM DATA MAINTAINED FOR LONGER THAN ONE YEAR.

Ordered for consideration tomorrow.

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

H. 3978 -- Reps. White and G.M. Smith: A BILL TO AMEND ARTICLE 2, CHAPTER 7, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAID NURSING HOME PERMITS, TO DEFINE “MEDICAID PERMIT DAY”, TO SPECIFY THE MANNER IN WHICH ADDITIONAL MEDICAID PERMIT DAYS ARE ALLOCATED, TO SET FORTH COMPLIANCE STANDARDS AND PENALTIES FOR VIOLATIONS, AND TO PROVIDE CERTAIN REPORTING REQUIREMENTS.

Ordered for consideration tomorrow.

**RECALLED AND COMMITTED**

S. 1000 -- Senators Peeler and Reese: A JOINT RESOLUTION TO PROVIDE THAT IN 2015 AND 2016, 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 FIFTY‑FOUR 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.

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

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

On motion of Senator PEELER, with unanimous consent, the Joint Resolution was committed to the Committee on Finance.

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

**AMENDED, READ THE SECOND TIME**

S. 987 -- Senators S. Martin, Bright, Reese and Corbin: A BILL TO AMEND SECTION 7‑7‑490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAMES OF THREE PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

Senators SHANE MARTIN, BRIGHT, CORBIN and REESE proposed the following amendment (JUD0987.001), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 8 through 29, in Section 7‑7‑490(A), as contained in SECTION 1, and inserting therein the following:

/ Oakland Elementary

Pacolet Elementary School

~~Pacolet Town Hall~~

Park Hills Elementary

Pauline Glenn Springs Elementary

Pelham Fire Station

Pine Street Elementary

Poplar Springs Fire Station

Powell Saxon Una Fire Station

R.D. Anderson Vocational

Rebirth Missionary Baptist

Reidville Elementary

Reidville Fire Station

Roebuck Bethlehem

Roebuck Elementary

Silverhill United Methodist

Southside Baptist

Spartanburg High School

Startex Fire Station

Swofford Career Center

Travelers Rest Baptist

Trinity Methodist

~~T.W. Edwards Recreation Center~~ /

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--44**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 666 -- Senator Malloy: A BILL TO AMEND ACT 748 OF 1978, AS AMENDED, RELATING TO THE BOARD OF EDUCATION OF DARLINGTON COUNTY, TO RESTRICT THE AUTHORITY OF THE BOARD TO INCREASE THE TAX LEVY WITHOUT THE APPROVAL OF A VOTE OF THE COUNTY ELECTORATE AND TO PROVIDE FOR THE BALLOTING FOR THE APPROVAL OF THE BUDGET AND THE MILLAGE.

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

Senator MALLOY proposed the following amendment (JUD0666.001), which was adopted:

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

/ SECTION 1. Section 1 of Act 748 of 1978, as last amended by Act 416 of 2006, is further amended to read:

“Section 1. (A) Notwithstanding any other provision of law, effective January 1, 1993, the Darlington County School District shall be governed by the Board of Education of Darlington County composed of eight members. All members must be elected in a nonpartisan manner in the general election in the years when members of the South Carolina House of Representatives are elected, commencing with the General Election of 1992. The term of office for each member is four years, and each member shall serve until his successor is elected and qualifies for office. Four members, to be designated by lot after the 1992 General Election, shall serve initial terms of two years, and the remaining four members shall serve initial terms of four years, all until their successors are elected and qualify. Thereafter, all members shall be elected for, and shall serve, terms of four years each. A member’s term of office commences on the first day of January next following his election. Vacancies shall be filled by a majority of the remaining members of the board for the unexpired portion of the term only. Each member must be a qualified elector of the election district he represents and, except when filling a vacancy as previously prescribed, must be elected by the qualified electors of that district only. Any person wishing to become a candidate for a seat on the board shall submit his name by noon on September first, or, if September first falls on a Sunday or a legal holiday, by noon on the next regular business day, to the authority which is charged by law with conducting the election, along with any other information that that authority considers necessary, on forms to be provided by the authority. That authority shall cause to be published in a newspaper of general circulation in the county two notices of the election, including its date, the deadline for submitting a name as a candidate, and all other appropriate information regarding the election. The first notice must be published not earlier than thirty days before the deadline for submitting a name as a candidate, and the second notice must be published not later than seven days before the deadline for submitting a name as a candidate.

The board has the powers and duties as are provided by law, including the authority to:

(a) prepare ~~and approve~~ the annual budget and determine expenditures of funds obtained from all sources for the operation of the school district and all programs, offices, and organizations under the authority of the board;

(b) determine ~~and approve~~ the local tax funds necessary for operational purposes to provide funds for school operating expenses; however, approval of the annual budget and any millage increase over the preceding year occurs only after:

(i) the board follows the procedure in subsection (B); and

(ii) the annual budget and increased millage are adopted by a majority vote of the qualified electors present and casting a ballot as provided in subsection (B);

(c) determine the capital outlay needs of the school district and issue bonds for those needs within the bonded debt limit of the school district;

(d) determine salaries and allowances of members of the board and determine ~~and approve~~ local tax funds necessary for this purpose;

(e) exercise all other powers and duties as provided by general law for district school boards.

(B)(1) On the first Saturday of May of each year, the Board of Education of Darlington County shall conduct a public ballot for all registered electors of the district for the purpose of a vote on the approval of the proposed budget and any increased millage for the district for the ensuing fiscal year.

(2) During the sixty‑day period prior to the first Saturday of May each year, the board of education shall publish its proposed budget for the operation of the school or schools within the district, together with the estimated millage necessary to carry the budget into effect. The proposed budget and the estimated millage must be available for review at the district office, on the district’s website as a downloadable file, and in other formats and venues convenient to public access.

(3) Notice of the public ballot and the location of the balloting must be advertised in a newspaper of general circulation within the district at least four times during the period sixty days prior to the date of the public ballot. Notice of the public ballot and the location of the balloting also must be published on the website operated by the district for a period of at least forty‑five days prior to the date set for the balloting.

(4) Prior to the first Saturday of May of each year:

(a) the board shall conduct at least two hearings, one each on the respective Saturdays next proceeding the first Saturday in May, to review the proposed budget. The hearings must be open to the public and allow the citizens present and electors qualified to vote:

(i) to ask comments and questions; and

(ii) to offer amendments to the budget that must be considered by the board of trustees and acted on by the board of trustees at the meeting at which it is offered.

(b) the board must record the hearings and provide that transcripts of the meetings be made and available for public access.

(5) The annual budget and millage increase must be formally submitted to a public ballot of the registered electors of Darlington County on the first Saturday in May and must be adopted by majority vote of the qualified electors present and casting a ballot. A summary of the budget shall be available for distribution to the public at the location of the balloting.

(6) The Darlington County Election and Registration Board shall be responsible for the conduct of the public ballot and the expenses of the public ballot must be paid by the Board of Education of Darlington County. The Darlington County Election and Registration Board shall use the most current voter registration information available in determining a voter’s eligibility to participate in the balloting. The public ballot on the first Saturday in May must:

(a) provide for the casting of a secret ballot;

(b) be held at a place within the school district; and

(c) commence not later than 8:30 a.m. and continue throughout the day until the poll is closed at 7:00 p.m.

(7) If the budget and millage increase are not approved by the public ballot, the board must meet and pass a continuing resolution providing for a school district budget based on existing funding that does not include an increased millage.

(C) Not later than the last day of June following the vote on the approval of the budget and the millage as provided for in subsection (B), the Chairman of the Board of Education shall certify the budget and millage to the county auditor who shall levy the millage upon all taxable property within the school district. The Treasurer of Darlington County shall collect taxes levied and the proceeds derived from the levy. The treasurer shall keep these proceeds and disburse to the district upon warrants issued or drawn by the school district. A tax levied under the provisions of this act may not be repealed at any subsequent meeting of the district board of trustees occurring after the last day of June following the vote on the approval of the budget and the millage as provided for in subsection (B).”

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

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

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

**CARRIED OVER**

H. 3459 -- Reps. Sandifer, Bales, J.E. Smith and Erickson: A BILL TO AMEND SECTION 40‑2‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE BOARD, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE BOARD, AND TO PROVIDE THESE PERSONNEL MAY BE TERMINATED BY THE DIRECTOR OF A MAJORITY OF THE BOARD; TO AMEND SECTION 40‑2‑30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO PROVIDE A CERTIFIED PUBLIC ACCOUNTANT LICENSED BY THE BOARD IS EXEMPT FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; AND TO AMEND SECTION 40‑2‑70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD MAY CONDUCT PERIODIC INSPECTIONS OF LICENSEES OR FIRMS; AND TO AMEND SECTION 40‑2‑80, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT SHALL DIRECT THE INVESTIGATOR ASSIGNED TO THE BOARD TO INVESTIGATE AN ALLEGED VIOLATION TO DETERMINE THE EXISTENCE OF PROBABLE CAUSE MERITING FURTHER PROCEEDINGS.

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

**CARRIED OVER**

H. 3412 -- Reps. Harrell, Lucas, Clemmons, Herbkersman, Loftis, Barfield, Huggins, Bowen, K.R. Crawford, Allison, Merrill, Ballentine, McCoy, Wood, Erickson, Putnam, Bannister, Branham, Taylor, Limehouse, Southard, Atwater, Bingham, Brannon, Chumley, Cole, Crosby, Daning, Delleney, Gagnon, Gambrell, Goldfinch, Henderson, Hiott, Hixon, Kennedy, Lowe, D.C. Moss, V.S. Moss, Murphy, Newton, Owens, Patrick, Pitts, Pope, Rivers, Ryhal, Sandifer, G.M. Smith, G.R. Smith, J.R. Smith, Sottile, Spires, Stringer, Tallon, Thayer, Toole, White, Whitmire, Willis, Hardwick, Quinn, Hamilton, Forrester and Edge: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑36‑2647 SO AS TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE NON‑FEDERAL AID HIGHWAY FUND, AND TO PROVIDE FOR THE USE OF THESE REVENUES.

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

**CARRIED OVER**

H. 3853 -- Reps. Owens, Patrick, Bedingfield, Loftis, Taylor, Allison, Anthony, Brannon, Southard, Bowen, Whitmire, Limehouse, Cole, Erickson, Forrester, Harrell, Herbkersman, Hixon, Lucas, D.C. Moss, Norman, Pitts, Pope, Putnam, Simrill, G.R. Smith, Sottile, Stringer, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑111 SO AS TO AUTHORIZE AN ALTERNATIVE EDUCATION CAMPUS (AEC) TO BE ESTABLISHED BY A CHARTER SCHOOL SPONSOR WHICH SHALL CONSTITUTE A CHARTER SCHOOL SERVING A SPECIFIC STUDENT POPULATION, AND TO PROVIDE THE CRITERIA FOR A CHARTER SCHOOL TO BE DESIGNATED AS AN AEC; TO AMEND SECTION 59‑40‑55, RELATING TO A CHARTER SCHOOL SPONSOR’S POWERS AND DUTIES, SO AS TO FURTHER PROVIDE FOR THESE POWERS AND DUTIES INCLUDING THE ADOPTION OF NATIONAL INDUSTRY STANDARDS FOR THE SCHOOL, AND THE CLOSURE OF LOW PERFORMING SCHOOLS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATIONS AND THE FORMATION OF CHARTER SCHOOLS, SO AS TO PROVIDE THAT THE CHARTER SCHOOL APPLICATION MUST BE BASED ON AN APPLICATION TEMPLATE WITH COMPLIANCE GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION, AND TO FURTHER PROVIDE FOR THE CONTENTS OF THE APPLICATION AND FOR LETTERS OF INTENT TO BE SUBMITTED BY AN APPLICANT AND A CHARTER COMMITTEE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE AND ITS DUTY TO REVIEW CHARTER SCHOOL APPLICATIONS, SO AS TO DELETE THE COMMITTEE, TO REVISE THE PROCEDURES REQUIRED OF A CHARTER SCHOOL APPLICANT IN REGARD TO A CHARTER SCHOOL APPLICATION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL PROVIDE GUIDANCE ON COMPLIANCE TO BOTH SPONSORS AND APPLICANTS, AND TO FURTHER PROVIDE FOR THE STANDARDS FOR A SCHOOL BOARD OF TRUSTEES OR AREA COMMISSION TO FOLLOW WHEN CONSIDERING THE DENIAL OF AN APPLICATION; TO AMEND SECTION 59‑40‑90, AS AMENDED, RELATING TO APPEAL OF FINAL DECISIONS OF A SCHOOL DISTRICT TO THE ADMINISTRATION LAW COURT, SO AS TO ALSO INCLUDE FINAL DECISIONS OF A PUBLIC OR INDEPENDENT INSTITUTION OF HIGHER LEARNING SPONSOR; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER SCHOOL SPONSOR AND THE RENEWAL OR TERMINATION OF A CHARTER BY THE SPONSOR, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN A CHARTER SCHOOL SHALL AUTOMATICALLY AND PERMANENTLY CLOSE, TO REVISE THE CRITERIA TO CONSIDER WHEN REVOKING OR NOT RENEWING A CHARTER, TO PROVIDE FOR WHEN A SPONSOR SUMMARILY MAY REVOKE A CHARTER, AND TO PROVIDE FOR THE MANNER IN WHICH STAYS OF THE REVOCATION OR NONRENEWAL OF THE CHARTER TAKE EFFECT OR MAY BE GRANTED; TO AMEND SECTION 59‑40‑115, AS AMENDED, RELATING TO THE TERMINATION OF A CHARTER SCHOOL’S CONTRACT WITH A SPONSOR, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; AND TO AMEND SECTION 59‑40‑180, AS AMENDED, RELATING TO REGULATIONS AND GUIDELINES PERTAINING TO CHARTER SCHOOLS, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE.

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

**CARRIED OVER**

S. 268 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 19‑5‑520 SO AS TO PROVIDE A PROCEDURE FOR THE CERTIFICATION OF DOMESTIC AND FOREIGN RECORDS OF REGULARLY CONDUCTED ACTIVITY, OR BUSINESS RECORDS, IN ACCORDANCE WITH FEDERAL RULE 902(11) AND (12).

Senator MASSEY explained the Bill.

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

**CARRIED OVER**

S. 275 -- Senators L. Martin and Hembree: A BILL TO AMEND SECTION 23‑1‑210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEMPORARY TRANSFER OR ASSIGNMENT OF A MUNICIPAL OR COUNTY LAW ENFORCEMENT OFFICER TO A MULTIJURISDICTIONAL TASK FORCE, SO AS TO MAKE A TECHNICAL CHANGE, DELETE THE PROVISION THAT REQUIRES A COUNTY OR MUNICIPALITY THAT SENDS AN OFFICER TO ANOTHER COUNTY OR MUNICIPALITY TO BE REIMBURSED FOR SERVICES BY THE COUNTY OR MUNICIPALITY TO WHICH THE OFFICER IS TRANSFERRED OR ASSIGNED, AND TO PROVIDE THAT THE GOVERNING BODIES OF THE POLITICAL SUBDIVISIONS AFFECTED BY THIS PROVISION MUST BE NOTIFIED BY THEIR LAW ENFORCEMENT DIVISIONS OF ANY MULTIJURISDICTIONAL TASK FORCE AGREEMENT EXECUTION AND TERMINATION.

Senator MASSEY explained the Bill.

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

**CARRIED OVER**

S. 611 -- Senator Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑31‑60, SO AS TO REQUIRE THAT THE COMMISSION FOR MINORITY AFFAIRS ELIMINATE ELIGIBILITY FOR A NATIVE AMERICAN INDIAN GROUP TO RECEIVE OFFICIAL RECOGNIZED STATUS IN THIS STATE, TO REPEAL ANY REGULATIONS PROVIDING FOR RECOGNITION AS A NATIVE AMERICAN INDIAN GROUP, AND TO REQUIRE THAT THE COMMISSION FOR MINORITY AFFAIRS REVISE ANY OF ITS REGULATIONS TO DELETE ANY REFERENCES OR ELIMINATE ANY PROCEDURES FOR RECOGNIZING A NATIVE AMERICAN INDIAN GROUP.

Senator MASSEY explained the Bill.

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

**CARRIED OVER**

S. 815 -- Senators L. Martin and Campsen: A BILL TO AMEND SECTION 7‑11‑30, SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE THAT A PARTY MAY CHOOSE TO CHANGE NOMINATION OF CANDIDATES BY PRIMARY TO A CONVENTION IF THREE‑FOURTHS OF THE CONVENTION MEMBERSHIP APPROVES OF THE CONVENTION NOMINATION PROCESS, AND A MAJORITY OF THE VOTERS IN THAT PARTY’S NEXT PRIMARY ELECTION APPROVES THE USE OF A CONVENTION.

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

**CARRIED OVER**

S. 828 -- Senators Fair and Turner: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑41‑75 SO AS TO EXEMPT CERTAIN BOND REIMBURSEMENT REQUIREMENTS IF A CONVENTION AND TRADE SHOW CENTER IS SOLD AND IS TO BE REPLACED WITH A NEW CONVENTION AND TRADE SHOW CENTER, AND TO SET FORTH EXEMPTION REQUIREMENTS; AND TO AMEND SECTION 11‑41‑70, AS AMENDED, RELATING TO REQUIREMENTS FOR ECONOMIC DEVELOPMENT BONDS, SO AS TO MAKE A CONFORMING CHANGE.

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

**CARRIED OVER**

S. 876 -- Senators Cromer and Campsen: A BILL TO AMEND SECTION 50‑11‑355 OF THE 1976 CODE, RELATING TO UNLAWFUL DEER HUNTING NEAR A RESIDENCE, TO PROVIDE THAT IT IS UNLAWFUL TO HUNT DEER WITH FIREARMS NEAR A RESIDENCE WITHOUT THE PERMISSION OF THE OWNER AND OCCUPANT.

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

**CARRIED OVER**

S. 913 -- Senator Campsen: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, BY ADDING SECTION 50‑9‑675 TO PROVIDE FOR A PERMIT TO ENGAGE IN FALCONRY IN THIS STATE, THE FEE FOR THE PERMIT, AND THAT A PERSON HOLDING A VALID FEDERAL FALCONRY PERMIT ON JANUARY 1, 2014, MAY ENGAGE IN FALCONRY WITHOUT A SOUTH CAROLINA FALCONER’S PERMIT UNTIL THE FEDERAL PERMIT EXPIRES; AND TO AMEND CHAPTER 11, TITLE 50, RELATING TO PROTECTION OF GAME, BY ADDING SECTION 50‑11‑50 TO PROVIDE FOR THE REGULATION OF FALCONRY AND TO PROVIDE A PENALTY FOR VIOLATIONS.

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

**CARRIED OVER**

S. 809 -- Senator Leatherman: A BILL TO AMEND SECTION 4‑10‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CAPITAL PROJECTS SALES TAX, SO AS TO DELETE A PROVISION ALLOWING THE REFERENDUM FOR IMPOSITION OR REIMPOSITION TO BE HELD AT A TIME OTHER THAN AT THE TIME OF THE GENERAL ELECTION.

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

Senator BRYANT proposed the following amendment (BH\809C002.BH.DG14), which was ruled out of order:

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

/ SECTION \_\_\_. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

“Section 59‑19‑360. Notwithstanding any other provision of law, if the board of trustees orders a referendum to issue bonds in excess of the debt limitation pursuant to Article X, Section 15 of the Constitution of this State, then the referendum must be held at the time of the general election. The referendum, including the notice thereof, must be conducted in the manner prescribed by Article 1, Chapter 71, Title 59.”/

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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

**CARRIED OVER**

S. 940 -- Senators Young, Massey, Setzler and Peeler: A BILL TO AMEND SECTION 4‑10‑470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO ALLOW A COUNTY THAT DOES NOT COLLECT A CERTAIN AMOUNT IN ACCOMMODATIONS TAX TO IMPOSE THE SALES TAX SO LONG AS NO PORTION OF THE COUNTY AREA IS SUBJECT TO MORE THAN TWO PERCENT TOTAL SALES TAX.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment as follows.

Senator BRYANT proposed the following amendment (BH\940C005.BH.DG14), which was adopted:

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

/ SECTION \_\_\_. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

“Section 59‑19‑360. Notwithstanding any other provision of law, if the board of trustees orders a referendum to issue bonds in excess of the debt limitation pursuant to Article X, Section 15 of the Constitution of this State, then the referendum must be held at the time of the general election. The referendum, including the notice thereof, must be conducted in the manner prescribed by Article 1, Chapter 71, Title 59.”/

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

**Point of Order**

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

Senator BRYANT spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator YOUNG explained the Bill.

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

**THIRD READING BILLS**

The following Bill and Joint Resolution were read the third time and ordered sent to the House of Representatives:

S. 293 -- Senator Cleary: A BILL TO AMEND SECTION 4‑23‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LEVY AND COLLECTION OF TAXES IN THE MURRELL’S INLET‑GARDEN CITY FIRE DISTRICT, SO AS TO AUTHORIZE THE LEVY AND COLLECTION OF AN ADDITIONAL TEN MILLS.

S. 1001 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO LAW ENFORCEMENT OFFICER AND E-911 OFFICER TRAINING AND CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4347, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 605 -- Senators Lourie, Sheheen, Jackson, Coleman, Johnson, Allen, McElveen, Bryant, Bright, Davis, Shealy and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑13‑791 SO AS TO PROVIDE THAT THE USE OF ANY AIRCRAFT OWNED OR LEASED BY THIS STATE, OR ANY STATE AGENCY, ENTITY, OR INSTITUTION, INCLUDING INSTITUTIONS OF HIGHER LEARNING, BY A MEMBER OF THE GENERAL ASSEMBLY MUST BE FIRST APPROVED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IN REGARD TO MEMBERS OF THE HOUSE, BY THE PRESIDENT PRO TEMPORE OF THE SENATE IN REGARD TO MEMBERS OF THE SENATE, OR BY THE CHAIRMAN OF A STATE BOARD, COMMISSION, OR COMMITTEE IN THE EXECUTIVE BRANCH IN REGARD TO A MEMBER OF THAT BOARD, COMMISSION, OR COMMITTEE WHO IS PERMITTED TO REQUEST USE OF STATE AIRCRAFT, TO PROVIDE THAT NO AIRCRAFT OWNED OR LEASED BY THIS STATE, OR ANY STATE AGENCY, ENTITY, OR INSTITUTION, INCLUDING INSTITUTIONS OF HIGHER LEARNING, MAY TRANSPORT A PERSON FROM A LOCATION IN OR OUT OF THIS STATE TO COLUMBIA OR ANOTHER LOCATION TO TESTIFY BEFORE A STANDING OR SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY OR EITHER HOUSE OF THE GENERAL ASSEMBLY ABOUT ANY MATTER UNDER CONSIDERATION BY THAT COMMITTEE, AND TO PROVIDE PENALTIES FOR VIOLATIONS, INCLUDING A REQUIREMENT THAT THE COST OF THE FLIGHT MUST BE REIMBURSED TO THE STATE GENERAL FUND.

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 (JUD0605.002), which was adopted:

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

/ SECTION 1. Article 7, Title 8, Chapter 13 of the 1976 Code is amended by adding:

“Section 8‑13‑791. (A)(1) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of the General Assembly must be first approved by the Speaker of the House of Representatives in regard to members of the House or by the President Pro Tempore of the Senate in regard to members of the Senate.

(2) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of a state board, commission, or committee in the executive branch who is permitted to request use of state aircraft must be first approved by the chairman of that board, commission, or committee.

(B) Violations of this section are considered violations of the rules of conduct under state ethics laws and are punishable in the manner provided by this chapter and by law, except that in addition to all other penalties or remedies authorized by law, the violating member or other person authorizing the flight shall reimburse the state general fund within thirty days of the unauthorized flight for the full cost thereof.”

SECTION 2. 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.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--42**

**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. 953 -- Senators Leatherman, Setzler and O’Dell: A BILL TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2013 AND TO PROVIDE THAT ANY INTERNAL REVENUE CODE SECTIONS ADOPTED BY THE STATE THAT EXPIRED ON DECEMBER 31, 2013, THAT ARE EXTENDED BY CONGRESSIONAL ENACTMENT IN 2014 ARE ALSO EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

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 question then was second reading of the Bill.

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

**Ayes 42; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--42**

**NAYS**

Bright

**Total--1**

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

**AMENDED, READ THE SECOND TIME**

S. 689 -- Senator Bryant: A BILL TO AMEND SECTION 7‑7‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN ANDERSON COUNTY, SO AS TO ADD THE “NORTH POINTE” PRECINCT AND THE “GLENVIEW” PRECINCT, TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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

Senator O’DELL proposed the following amendment (JUD0689.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 14 in the title and inserting therein the following:

/ SO AS TO ADD THE “BELTON ANNEX” PRECINCT, THE “NORTH POINTE” PRECINCT, AND /

Amend the bill further, as and if amended, page 1, by striking lines 32 and 33, in Section 7-7-80(A), as contained in SECTION 1, and inserting therein the following:

/ Belton

Belton Annex

Bishop’s Branch /

Amend the bill further, as and if amended, page 3, line 28, in Section 7-7-80(B), as contained in SECTION 1 by striking /P‑07‑13/ and inserting / P-07-14 /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--44**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 807 -- Senators Setzler, Courson, Cromer, Massey and Shealy: A BILL TO AMEND SECTION 7‑7‑380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LEXINGTON COUNTY, SO AS TO ADD FOUR PRECINCTS AND DELETE ONE PRECINCT AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

Senator CROMER proposed the following amendment (BBM\807C002.BBM.HTC14), which was adopted:

Amend the bill, as and if amended, in Section 7‑7‑380 as contained in SECTION 1, page 2, line 15, by striking / ~~Faith Church~~ / and inserting / Faith Church /.

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--44**

**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**

H. 4475 -- Reps. J.R. Smith, Clyburn, Hixon and Taylor: A BILL TO AMEND SECTION 7‑7‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO REDESIGNATE VARIOUS EXISTING PRECINCTS, TO ADD THREE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--44**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4497 -- Reps. Erickson, Bowers, Herbkersman, Hodges, Newton and Patrick: A BILL TO AMEND SECTION 7‑7‑110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REDESIGNATE FIVE EXISTING PRECINCTS, ADD NINE PRECINCTS AND DELETE THREE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

Senator MASSEY explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--44**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

H. 4521 -- Reps. Newton, Herbkersman and Bowers: A BILL TO AMEND SECTION 7‑7‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD A PRECINCT AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAME OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

Senator PINCKNEY proposed the following amendment (JUD4521.001), which was adopted:

Amend the bill, as and if amended, page 2 by striking line 13 and inserting:

/ SECTION 2. This act takes effect on July 1, 2014. /

Renumber sections to conform.

Amend title to conform.

Senator PINCKNEY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--44**

**NAYS**

**Total--0**

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

**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 balance of the Motion Period.

**Motion Adopted**

On motion of Senator COURSON, the Senate agreed to go into Executive Session prior to adjournment, and upon lifting of the veil, the Senate would stand adjourned.

**EXECUTIVE SESSION**

On motion of Senator COURSON, the seal of secrecy was removed and the Senate resumed in open session.

**MOTION ADOPTED**

On motion of Senator LOURIE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Turner of Blythewood, S.C. Chef Turner started the Blythewood High School Culinary Arts Program when the school opened in 2005 and it quickly became one of the state’s and nation’s top programs. In 2008, Chef Turner was named Teacher of the Year and in 2010, he was named Culinary State Teacher of the Year. He developed the “Down Under” Exchange Program and the Queensland College of Wine and Tourism Program in Australia before he retired in 2012. Chef Turner was a beloved member of St. David’s Episcopal Church, Blythewood High School and the Blythewood Community. He was a loving husband and devoted father.

and

**MOTION ADOPTED**

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Victoria L. Shaw of Sumter, S.C. Ms. Shaw was a generous volunteer of her time and a steward and leader of many organizations in which she served. She was a member of First Presbyterian Church where she served as a deacon, youth advisor and a member of the building committee. Ms. Shaw was passionate about childhood literacy and volunteered in local elementary schools throughout her life. She was an avid gardner, talented florist, and enjoyed traveling with her family and friends. Ms. Shaw was a loving wife, devoted mother and doting grandmother.

**ADJOURNMENT**

At 1:44 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 2:00 P.M.

**Recorded Vote**

Senator BRIGHT desired to be recorded as voting against the motion to adjourn.

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