**Tuesday, May 6, 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:

The Psalmist wrote:

“The heavens declare the glory of God; the skies proclaim the work of his hands.” (Psalm 19:1)

Join me as we bow in prayer, if you will:

Holy God, it is a given that we live in a world which presents all of us with incredible challenges. While this Senate continues this week to wrestle with matters having to do with funding state programs and agencies, we pray that You will be present with each Senator and every staff member. As they discuss and debate and finally decide upon the ways our resources are to be employed, may the declarations of these leaders and the proclamations they together make benefit all South Carolinians in positive and marvelous fashion. As always, it is in Your loving name, dear Lord, that we do pray this. Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

Reappointment, Union County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Jeffery D. Bailey, 703 Mount Taber Church Rd., Union, SC 29374

Reappointment, Union County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Arthur T. Sprouse, Jr., P.O. Box 310, Pauline, SC 29374

**Leave of Absence**

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1272 -- Senators Cromer, Setzler, Courson, Massey and Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 1 AND MORGAN DRIVE IN THE CITY OF LEXINGTON "ARMY SPECIALIST THOMAS DAY CAUGHMAN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS THAT CONTAIN THIS DESIGNATION TO HONOR ARMY SPECIALIST THOMAS DAY CAUGHMAN WHO MADE THE ULTIMATE SACRIFICE IN DEFENSE OF HIS COUNTY WHILE ON PATROL IN BAGHDAD, IRAQ, DURING OPERATION IRAQI FREEDOM.

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

S. 1273 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR NEWBERRY COUNTY SHERIFF LEE FOSTER AND HIS STAFF FOR THEIR OUTSTANDING WORK IN APPREHENDING A TEENAGE MURDER SUSPECT FROM TENNESSEE AND TO EXPRESS DEEP GRATITUDE FOR THEIR MERITORIOUS SERVICE TO THE CITIZENS OF SOUTH CAROLINA.

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

S. 1274 -- Senators Cromer, Courson, Shealy, Setzler and Massey: A CONCURRENT RESOLUTION TO CONGRATULATE ALBERT J. "A. J." DOOLEY, SR., OF LEXINGTON COUNTY, ON THE OCCASION OF HIS EIGHTY-FOURTH BIRTHDAY, AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

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

S. 1275 -- Senator Lourie: A CONCURRENT RESOLUTION TO HONOR AND COMMEND THE DRILL SERGEANTS OF THE UNITED STATES ARMY FOR THEIR OUTSTANDING SERVICE, TO CONGRATULATE THE U.S. ARMY DRILL SERGEANT PROGRAM ON ITS FIFTIETH ANNIVERSARY, AND TO DECLARE SEPTEMBER 10, 2014, AS "ARMY DRILL SERGEANT RECOGNITION DAY" IN SOUTH CAROLINA.

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

S. 1276 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE DEATH OF WILBERT HOWARD OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, INCLUDING HIS SON AND OUR FRIEND AND HOUSE COLLEAGUE REPRESENTATIVE LEON HOWARD.

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The Senate Resolution was adopted.

S. 1277 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE JESSIE MAE WATTS BRACY OF RICHLAND COUNTY ON THE OCCASION OF HER NINETY-EIGHTH BIRTHDAY AND TO WISH HER MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 1278 -- Senator Pinckney: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE CHARRAE PRIESTER FOR WINNING THE 2014 SENATOR FOR A DAY SPEECH CONTEST SPONSORED BY SENATOR CLEMENTA PINCKNEY OF JASPER COUNTY.

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The Senate Resolution was adopted.

S. 1279 -- Senators Setzler, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Scott, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXTEND DEEPEST GRATITUDE AND APPRECIATION TO TEACHERS ACROSS THE PALMETTO STATE AND NATION FOR THEIR UNPARALLELED DEDICATION TO EDUCATING OUR STUDENTS AND FOR THE PROFOUND AND POSITIVE INFLUENCE THEY MAKE ON THE FUTURE OF OUR STATE AND NATION AND TO RECOGNIZE TUESDAY, MAY 6, 2014, AS "NATIONAL TEACHER DAY" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1280 -- Senator Rankin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CHRISTIAN ACADEMY OF MYRTLE BEACH VARSITY BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE CLASS A SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

H. 4607 -- Reps. Hiott, Bedingfield, Vick, Long, D. C. Moss, Crosby, Norman, Wells, Willis, Pitts, George, Bales, Allison, Forrester, Wood, Hixon, Erickson, Ballentine and Skelton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE "TRESPASSER RESPONSIBILITY ACT" WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS.

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

H. 4612 -- Reps. Bales and Whipper: A BILL TO AMEND SECTION 56-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF THE STATE'S UNIFORM TRAFFIC LAWS UPON THE STATE'S POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT A POLITICAL SUBDIVISION OF THE STATE THAT ENACTS AN ORDINANCE, RULE, OR REGULATION THAT IMPOSES A FINE FOR AN OFFENSE THAT EXCEEDS THE FINE IMPOSED BY A SIMILAR OFFENSE CONTAINED IN THIS CHAPTER MAY NOT COLLECT AN AMOUNT THAT EXCEEDS THE MAXIMUM FINE CONTAINED IN THE SIMILAR OFFENSE CONTAINED IN THIS CHAPTER.

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

H. 4665 -- Reps. H. A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

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

H. 4775 -- Reps. Gambrell, Bowen, Gagnon, Putnam, Thayer and White: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE BOARDS OF TRUSTEES OF THE SCHOOL DISTRICTS OF ANDERSON COUNTY BY DELETING PROVISIONS ALTERING THE MEMBERSHIP OF DISTRICT BOARDS BASED ON DISTRICT ENROLLMENT AND TO DELETE PROVISIONS RELATING TO THE ROLE OF THE ANDERSON COUNTY BOARD OF EDUCATION IN REDISTRICTING SINGLE MEMBER DISTRICTS AND TO PROVIDE THE NUMBER OF THE OFFICIAL MAP DEFINING THE ELECTION DISTRICTS OF ANDERSON COUNTY SCHOOL DISTRICT 5 AS MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

H. 4791 -- Reps. G. R. Smith, Rutherford, Bedingfield, Atwater, Putnam, Southard, Knight, Jefferson, Bowers, J. R. Smith, Hamilton, Bingham, McCoy, Willis, Quinn, Newton, Norrell, Bannister, Burns, Chumley, Delleney, Forrester, Harrell, Henderson, Hixon, Kennedy, Loftis, Lowe, Lucas, V. S. Moss, Owens, Pitts, Sandifer, Simrill, G. M. Smith, Stringer, White, Whitmire, Williams and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ELECTRONIC DATA PRIVACY PROTECTION ACT" BY ADDING CHAPTER 53 TO TITLE 23, SO AS TO PROVIDE THAT AN ENTITY MAY NOT SEARCH AN ELECTRONIC DEVICE WITHOUT A SEARCH WARRANT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE CERTAIN NOTICE REQUIREMENTS.

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

H. 4805 -- Reps. Clemmons and J. E. Smith: A BILL TO AMEND SECTION 7-27-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

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

H. 5108 -- Reps. White and Gambrell: A BILL TO THE ENACT "ANDERSON COUNTY SCHOOL DISTRICTS PROPERTY TAX RELIEF ACT" SO AS TO AUTHORIZE THE IMPOSITION, FOLLOWING REFERENDUM APPROVAL, OF A SALES AND USE TAX OF ONE PERCENT IN ANDERSON COUNTY FOR NOT MORE THAN FIFTEEN YEARS WITH AT LEAST TWENTY PERCENT OF THE REVENUES USED TO PAY DEBT SERVICE ON EXISTING GENERAL OBLIGATION BONDS ISSUED FOR SCHOOL CONSTRUCTION AND RENOVATION AND THE REMAINDER USED TO PAY DEBT SERVICE ON SCHOOL DISTRICT GENERAL OBLIGATION BONDS OR FOR DIRECT PAYMENT, OR BOTH SUCH FINANCING METHODS, FOR SCHOOL CONSTRUCTION AND RENOVATION, TO INSTALL, MAINTAIN, AND IMPROVE SECURITY AND PUBLIC SAFETY MEASURES, TO PROVIDE TECHNOLOGY HARDWARE AND SOFTWARE IN THE ANDERSON COUNTY SCHOOL DISTRICTS, TO PROVIDE A CAREER AND TECHNICAL EDUCATION FACILITY FOR ANDERSON COUNTY SCHOOL DISTRICTS THREE, FOUR, AND FIVE, TO PROVIDE CAPITAL IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, ROOFS, STADIUMS, AND FIELDS IN ANDERSON COUNTY SCHOOL DISTRICTS, AND TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THE TAX.

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

H. 5150 -- Rep. Branham: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON EADDY FORD ROAD IN THE VOX COMMUNITY IN FLORENCE COUNTY "MARVIN D. STONE BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "MARVIN D. STONE BRIDGE".

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

H. 5206 -- Reps. D. C. Moss, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE FORMER STATE TROOPER SERGEANT KENNETH E. BRANHAM II OF UNION COUNTY UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR MORE THAN TWENTY-FOUR YEARS AND EIGHT MONTHS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO EXTEND BEST WISHES FOR MUCH SUCCESS AND FULFILLMENT IN THE DAYS AHEAD.

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

**REPORTS OF STANDING COMMITTEES**

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

H. 3428 -- Reps. Allison, Erickson, M.S. McLeod, J.E. Smith, Spires, Hiott, Owens, Whitmire, Douglas, Hamilton, Bannister, Neal, Alexander, Weeks, Powers Norrell, Bales, Anderson, Robinson‑Simpson, Williams, Henderson, Sottile, Munnerlyn, Rutherford, Vick, R.L. Brown, Whipper, Branham, Govan, J.R. Smith, Hayes, George, Funderburk, W.J. McLeod, Bernstein, Felder, Wood, Patrick and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑152‑25 SO AS TO DEFINE TERMS CONCERNING THE FIRST STEPS TO SCHOOL READINESS INITIATIVE; BY ADDING SECTION 59‑152‑32 SO AS TO PROVIDE THE FIRST STEPS BOARD OF TRUSTEES SHALL DEVELOP A COMPREHENSIVE LONG‑RANGE INITIATIVE AND STRATEGY FOR SCHOOL READINESS; BY ADDING SECTION 59‑152‑33 SO AS TO PROVIDE A STATEWIDE ASSESSMENT OF STUDENT SCHOOL READINESS; BY ADDING SECTION 63‑11‑1725 SO AS TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE SOUTH CAROLINA EARLY CHILDHOOD ADVISORY COUNCIL; BY ADDING SECTION 63‑11‑1735 SO AS TO PROVIDE FIRST STEPS SHALL ENSURE THE COMPLIANCE OF BABYNET WITH FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS, AND TO DEFINE CERTAIN TERMS; TO AMEND SECTION 59‑152‑10, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY FIRST STEPS PARTNERSHIPS AS LOCAL FIRST STEPS PARTNERSHIPS; TO AMEND SECTION 59‑152‑20, RELATING TO THE PURPOSE OF FIRST STEPS, SO AS TO REDESIGNATE COUNTY PARTNERSHIPS AS LOCAL PARTNERSHIPS; TO AMEND SECTION 59‑152‑30, RELATING TO THE GOALS OF FIRST STEPS, SO AS TO RESTATE CERTAIN GOALS OF STUDENT READINESS; TO AMEND SECTION 59‑152‑40, RELATING TO OVERSIGHT OF THE INITIATIVE BY THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REQUIRE THE BOARD ALSO BE ACCOUNTABLE FOR THE INITIATIVE; TO AMEND SECTION 59‑152‑50, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, SO AS TO REVISE THE TIME FOR REQUIRED PERFORMANCE AUDITS AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑60, RELATING TO FIRST STEPS PARTNERSHIPS, SO AS TO REQUIRE A LOCAL PARTNERSHIP IN EACH COUNTY, TO PROVIDE THAT MEETINGS AND ELECTIONS OF A LOCAL PARTNERSHIP ARE SUBJECT TO THE FREEDOM OF INFORMATION ACT AND CERTAIN DISCLOSURE REQUIREMENTS, TO SPECIFY AND REVISE REQUIREMENTS FOR THE COMPOSITION OF A LOCAL PARTNERSHIP BOARD AND TO CORRECT AN OBSOLETE REFERENCE; TO AMEND SECTION 59‑152‑70, RELATING TO THE POWERS AND DUTIES OF A LOCAL PARTNERSHIP BOARD, SO AS TO REVISE THE REQUIREMENTS CONCERNING COUNTY NEEDS ASSESSMENTS, RECORD KEEPING AND REPORTING, TO PROVIDE STAFFING PURSUANT TO LOCAL BYLAWS, AND TO PROVIDE MULTIPLE LOCAL PARTNERSHIPS MAY COLLABORATE TO MAXIMIZE EFFICIENT DELIVERY OF SERVICES AND THE EXECUTION OF THEIR DUTIES AND POWERS; TO AMEND SECTION 59‑152‑90, RELATING TO FIRST STEPS GRANTS, SO AS TO ESTABLISH THE GRANTS AS LOCAL PARTNERSHIP GRANTS, AND TO REVISE THE PROCESS FOR OBTAINING A GRANT AND THE METHOD OF ALLOCATING GRANT FUNDS; TO AMEND SECTION 59‑152‑100, RELATING TO USE OF FIRST STEPS GRANT FUNDS, SO AS TO PROVIDE THE SECTION APPLIES TO GRANTS EXPENDED BY A FIRST STEPS PARTNERSHIP, AND TO REVISE THE PERMISSIBLE USES OF GRANT FUNDS; TO AMEND SECTION 59‑152‑120, RELATING TO THE USE OF GRANT FUNDS FOR CAPITAL EXPENDITURES, SO AS TO REVISE THE PURPOSE FOR WHICH FUNDS MAY BE USED AND TO REQUIRE PRIOR APPROVAL OF THE BOARD OF TRUSTEES; TO AMEND SECTION 59‑152‑130, RELATING TO A MANDATORY MATCHING OF FUNDS BY LOCAL PARTNERSHIPS, SO AS TO REVISE THE MANDATORY AMOUNT, TO ENCOURAGE PRIVATE CONTRIBUTIONS TO HELP LOCAL PARTNERSHIPS MEET THEIR MANDATORY MATCHING REQUIREMENT, AND TO DELETE A PROVISION ALLOWING CERTAIN EXPENSES TO BE INCLUDED IN DETERMINING MATCHING FUNDS; TO AMEND SECTION 59‑152‑140, RELATING TO THE PERMISSIBILITY OF CARRY FORWARD FUNDS BY A LOCAL PARTNERSHIP, SECTION 59‑152‑150, RELATING TO ACCOUNTABILITY SYSTEMS, AND SECTION 59‑152‑160, RELATING TO PROGRESS EVALUATIONS, ALL SO AS TO DELETE OBSOLETE TERMS; TO AMEND SECTION 63‑11‑1720, RELATING TO THE FIRST STEPS BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; AND TO REPEAL SECTION 59‑152‑80 RELATING TO FIRST STEPS GRANTS AND SECTION 59‑152‑110 RELATING TO THE USE OF FIRST STEPS LOCAL PARTNERSHIP GRANT FUNDS.

Ordered for consideration tomorrow.

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

H. 4223 -- Reps. Nanney, Delleney, Lucas, Simrill, G.M. Smith, Stringer, Bedingfield, Wood, Clemmons, H.A. Crawford, Gagnon, Atwater, Huggins, Owens, Limehouse, Norman, Erickson, Willis, Rivers, Allison, Ballentine, Bannister, Burns, Chumley, Henderson, Long, Merrill, D.C. Moss, Pitts, Pope, G.R. Smith, Tallon, Thayer, Hamilton, Harrell, Toole, Forrester, Felder, Hiott, Taylor, Bowen, Loftis, Hixon, J.R. Smith, Putnam, Daning, Crosby, Barfield and Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 41, TITLE 44 SO AS TO ENACT THE “SOUTH CAROLINA PAIN‑CAPABLE UNBORN CHILD PROTECTION ACT”, TO PROVIDE FINDINGS OF THE GENERAL ASSEMBLY, TO PROVIDE NECESSARY TERMS, TO PROVIDE A PHYSICIAN OR ALLIED HEALTH PROFESSIONAL SHALL CALCULATE THE PROBABLE POST‑FERTILIZATION AGE OF AN EMBRYO OR FETUS BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST‑FERTILIZATION AGE OF THE EMBRYO OR FETUS IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN EDUCATIONAL MATERIALS BE PRODUCED AND DISTRIBUTED, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

Ordered for consideration tomorrow.

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

H. 4749 -- Reps. Bingham, Allison, Anthony, Hayes, Erickson and Long: A JOINT RESOLUTION TO REQUIRE THAT THE STATE BOARD OF EDUCATION IMMEDIATELY SHALL, IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION, THE OFFICE OF FIRST STEPS TO SCHOOL READINESS, THE EDUCATION OVERSIGHT COMMITTEE, AND OTHER STAKEHOLDERS AS APPROPRIATE, BEGIN TO CONSIDER WHICH ASSESSMENT MUST BE USED TO ANALYZE THE EARLY LITERACY COMPETENCIES OF CHILDREN IN STATE‑FUNDED FULL‑DAY AND HALF‑DAY FOUR‑YEAR‑OLD KINDERGARTEN PROGRAMS AND OF ALL CHILDREN ENTERING KINDERGARTEN PROGRAMS IN PUBLIC SCHOOLS DURING THE 2014–2015 SCHOOL YEAR; TO PROVIDE THE ASSESSMENT MUST BE THE SAME OR ALIGNED TO ASSESSMENTS INTENDED TO PROVIDE DIAGNOSTIC INFORMATION TO TEACHERS AND MEASURE STUDENT GROWTH OVER TIME; TO REQUIRE THE BOARD TO PROVIDE A REPORT SUMMARIZING THE ASSESSMENT IT HAS SELECTED TO THE GENERAL ASSEMBLY BEFORE JUNE 1, 2015; AND TO PROVIDE SPECIFIC REQUIREMENTS FOR THE EARLY LITERACY MEASURE SELECTED BY THE BOARD.

Ordered for consideration tomorrow.

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

H. 4871 -- Reps. Harrell, Owens, Bannister, Erickson, Forrester, Rutherford, Cobb‑Hunter, Hayes, White and Mitchell: A BILL TO AMEND SECTION 59-40-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VARIOUS PROVISIONS PERTAINING TO CHARTER SCHOOLS INCLUDING A PROVISION EXEMPTING ALL EARNINGS OR PROPERTY OF CHARTER SCHOOLS FROM STATE OR LOCAL TAXATION, EXCEPT FOR THE SALES TAX, SO AS TO CLARIFY THAT PROPERTY OF CHARTER SCHOOLS EXEMPT FROM SUCH TAXATION INCLUDES OWNED OR LEASED PROPERTY.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., May 1, 2014

Mr. President and Senators:

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

H. 4644 -- Rep. Sandifer: A BILL TO AMEND SECTION 40‑60‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTIONS 40‑60‑31, 40‑60‑33, 40‑60‑34, 40‑60‑35, AS AMENDED, 40‑60‑36, 40‑60‑37, 40‑60‑38, 40‑60‑80, AND 40‑60‑220, ALL RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS LICENSE AND CERTIFICATION ACT, SO AS TO CONFORM THE PROVISIONS TO CERTAIN REVISED NATIONAL UNIFORM STANDARDS FOR LICENSING, CERTIFYING, AND RECERTIFYING REAL ESTATE APPRAISERS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 1, 2014

Mr. President and Senators:

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

H. 4802 -- Reps. Burns, Loftis, G.R. Smith and Willis: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT INDIVIDUAL SIGNS AT TWO MILE INTERVALS ALONG INTERSTATE HIGHWAY 385 FROM MILE MARKER 22 TO MILE MARKER 34 THAT CONTAIN THE WORDS “WORLD WAR I 1917‑1918”, “WORLD WAR II 1941‑1945”, “THE KOREAN WAR 1950‑1953”, “THE VIETNAM WAR 1956‑1975”, “SECOND PERSIAN GULF WAR ‘OPERATION DESERT STORM’ 1991”, “AFGHANISTAN WAR OCTOBER 7, 2001 TO PRESENT”, AND “THIRD PERSIAN GULF WAR MARCH 19, 2003 TO PRESENT”.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 1, 2014

Mr. President and Senators:

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

H. 3125 -- Reps. Hodges, M.S. McLeod, Mitchell, Whipper, R.L. Brown, Hiott, Toole, Hardee, Cobb‑Hunter, Dillard and Robinson‑Simpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “MICROENTERPRISE DEVELOPMENT ACT” BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO PROVIDE THAT THE DEPARTMENT OF COMMERCE SHALL ESTABLISH THE MICROENTERPRISE PARTNERSHIP PROGRAM TO PROMOTE AND FACILITATE THE DEVELOPMENT OF MICROENTERPRISES IN THIS STATE AND TO DEFINE “MICROENTERPRISE” AS A BUSINESS, WHETHER NEW OR EXISTING, INCLUDING STARTUP, HOME‑BASED, AND SELF EMPLOYMENT, WITH FIVE OR FEWER EMPLOYEES; TO PROVIDE THAT THE DEPARTMENT SHALL AWARD GRANTS TO COMMUNITY ORGANIZATIONS TO MAKE LOANS AND DEVELOP LOAN SOURCES; TO ESTABLISH CRITERIA TO BE CONSIDERED IN AWARDING GRANTS; TO PROVIDE THAT APPROPRIATED FUNDS MAY BE AWARDED AS A GRANT TO MICROLOAN DELIVERY ORGANIZATIONS AND THAT SUCH GRANTS MUST BE MATCHED BY NONSTATE FUNDS; TO PROVIDE THE PURPOSE FOR WHICH GRANT FUNDS MAY BE EXPENDED; TO PROVIDE CERTAIN PROVISIONS THAT MUST BE IN A CONTRACT BETWEEN THE DEPARTMENT AND A STATEWIDE MICROLENDING SUPPORT ORGANIZATION; AND TO REQUIRE THE STATE TO SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 1, 2014

Mr. President and Senators:

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

H. 4561 -- Reps. Hixon, King, Hodges, Simrill, Huggins, Ballentine, Brannon, Hiott, Hardwick, Bales, Knight, Clyburn, Southard, Tallon, Skelton, Erickson, Sottile, Limehouse, Stavrinakis, McCoy, Parks, Crosby, Anthony, Mitchell, Bowen, H.A. Crawford, Robinson‑Simpson, Toole, Kennedy, Patrick, Bowers, Atwater, Bedingfield, Williams, M.S. McLeod, G.R. Smith, George, Putnam, Allison, Burns, Chumley, Clemmons, Cobb‑Hunter, Daning, Delleney, Dillard, Edge, Felder, Forrester, Funderburk, Gagnon, Hamilton, Hardee, Hart, Hayes, Henderson, Horne, Hosey, Jefferson, Loftis, Long, Lowe, Lucas, W.J. McLeod, V.S. Moss, Murphy, Newton, Norman, Owens, Pitts, Pope, Ridgeway, Riley, Rutherford, Sabb, Sandifer, J.R. Smith, Taylor, Thayer, Wells, White, Whitmire, Willis, Wood and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 20 TO TITLE 50 SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES TO ENTER INTO THE INTERSTATE BOATING VIOLATOR COMPACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 1, 2014

Mr. President and Senators:

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

H. 4646 -- Reps. Bingham, Allison, Anthony and Hayes: A BILL TO AMEND SECTION 59‑48‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EX OFFICIO MEMBERS OF THE BOARD OF TRUSTEES OF THE GOVERNORS SCHOOL FOR SCIENCE AND MATHEMATICS, SO AS TO PROVIDE A PROVOST OR VICE PRESIDENT OF ACADEMIC AFFAIRS WHO MUST SERVE AS AN EX OFFICIO MEMBER MAY DESIGNATE A PERSON TO SERVE IN HIS PLACE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Joint Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4921 -- Reps. Bingham, Allison, Anthony and Hayes: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW, SCHOOL DISTRICTS UNIFORMLY MAY NEGOTIATE SALARIES BELOW THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2014‑2015 SCHOOL YEAR FOR RETIRED TEACHERS WHO ARE NOT PARTICIPANTS IN THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM.

**THIRD READING BILL**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1089 -- Senators Davis, Campsen, Grooms and Pinckney: A BILL TO AMEND SECTION 54‑3‑700 OF THE 1976 CODE, RELATING TO THE CESSATION OF MARINE TERMINAL OPERATIONS AND THE SALE OF PROPERTY AT PORT ROYAL, TO RECOGNIZE THAT THE STATE PORTS AUTHORITY HAS CEASED OPERATIONS AT PORT ROYAL, TO DIRECT THE STATE PORTS AUTHORITY TO SELL THE PORT ROYAL PROPERTY AS SOON AS PRACTICABLE ON OR BEFORE JUNE 30, 2015, AND TO PROVIDE FLEXIBILITY IN THE MANNER OF SALE, TO PROVIDE FOR CERTAIN CIRCUMSTANCES WHERE THE SALE MAY BE CLOSED AFTER JUNE 30, 2015, TO PROVIDE THAT IF THE PROPERTY IS NOT SOLD BY JUNE 30, 2015, SUBJECT TO THE IDENTIFIED EXCEPTIONS, THE AUTHORITY MUST IRREVOCABLY TRANSFER THE PROPERTY TO THE GENERAL SERVICES DIVISION TO BE SOLD AT AUCTION, TO PROVIDE THAT IF THE PROPERTY DOES NOT SELL AT AUCTION AS PROVIDED, GENERAL SERVICES SHALL MARKET AND SELL THE PROPERTY IN A COMMERCIALLY REASONABLE MANNER; TO PROVIDE FOR AN APPRAISAL OF THE PROPERTY PRIOR TO SALE, TO PROVIDE THAT THE PROPERTY MAY BE SOLD BY THE STATE PORTS AUTHORITY OR GENERAL SERVICES FOR EIGHTY PERCENT OR MORE OF THE APPRAISED VALUE; TO PROVIDE THAT ALL SALES MUST BE MADE ACCORDING TO STATE PROCEDURES, TO PROVIDE FOR THE DISTRIBUTION OF SALES PROCEEDS, AND TO PROVIDE THAT A SALE OF THE PROPERTY PURSUANT TO THIS ACT SATISFIES THE STATE PORTS AUTHORITY BOARD’S FIDUCIARY DUTIES TO THE AUTHORITY AND TO THE AUTHORITY’S BOND HOLDERS.

**SECOND READING BILLS**

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

H. 5024 -- Rep. Sellers: A BILL TO ALLOW THE BOARD OF TRUSTEES OF DENMARK‑OLAR SCHOOL DISTRICT NO. 2 TO IMPOSE A CAPITAL MILLAGE TO PROVIDE SCHOOL BUILDINGS IN THE DISTRICT, INCLUDING ANY ASSOCIATED LEASE PAYMENTS, AND TO MAKE FINDINGS THAT ILLUSTRATE THE UNIQUE ISSUES FACING THE DISTRICT.

S. 1256 -- Senator Hutto: A BILL TO AMEND ACT 581 OF 1992, RELATING TO BAMBERG‑EHRHARDT SCHOOL DISTRICT ONE, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BAMBERG‑EHRHARDT SCHOOL DISTRICT ONE MUST BE ELECTED, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

S. 1257 -- Senator Hutto: A BILL TO AMEND ACT 581 OF 1992, RELATING TO DENMARK‑OLAR SCHOOL DISTRICT TWO, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE DENMARK‑OLAR SCHOOL DISTRICT TWO MUST BE ELECTED, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

H. 5134 -- Rep. W.J. McLeod: A BILL TO AMEND ACT 485 OF 1998, RELATING TO THE ELECTION PROCEDURES APPLICABLE TO THE NEWBERRY COUNTY BOARD OF EDUCATION, SO AS TO AMEND THE FILING PERIOD DATES AND THE DATES THAT THE COUNTY ELECTION COMMISSION SHALL EXAMINE PETITIONS AND VERIFY SIGNATURES.

**READ THE SECOND TIME**

S. 1136 -- Senators Shealy, Hembree, Bennett, Johnson, Campbell, Cleary, Turner, Cromer and McElveen: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, BY ADDING SECTION 1‑1‑720, RELATING TO STATE EMBLEMS, TO DESIGNATE BARBECUE AS THE OFFICIAL STATE PICNIC CUISINE.

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 36; Nays 0; Present 1**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Corbin

Courson Davis Fair

Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Scott

Setzler Shealy Thurmond

Turner Williams Young

**Total--36**

**NAYS**

**Total--0**

**PRESENT**

Peeler

**Total--1**

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

**READ THE SECOND TIME**

H. 3567 -- Rep. Horne: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATE OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO REVISE THE DEFINITION OF “CHILDREN AND ADOLESCENTS IN NEED OF MENTAL HEALTH TREATMENT” IN A RESIDENTIAL TREATMENT FACILITY BY REVISING THE TERM TO INCLUDE YOUNG ADULTS AND BY INCREASING THE ELIGIBILITY AGE FROM UNDER EIGHTEEN TO UNDER TWENTY-ONE.

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 Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

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**

H. 3098 -- Rep. Spires: A BILL TO AMEND SECTION 44‑81‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHTS OF LONG‑TERM CARE FACILITY RESIDENTS, SO AS TO REQUIRE A RESIDENT OR HIS REPRESENTATIVE TO PROVIDE THE ADMINISTRATOR OF THE FACILITY CERTAIN NOTICE OF THE INTENT OF THE RESIDENT TO VOLUNTARILY RELOCATE TO ANOTHER FACILITY, AND TO PROVIDE THE FACILITY MAY CHARGE THE RESIDENT THE EQUIVALENT OF THIRTY DAYS OCCUPANCY FOR FAILURE TO GIVE THIS NOTICE.

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

The Committee on Medical Affairs proposed the following amendment (DKA\3098C001.DKA.VR14), which was adopted:

Amend the bill, as and if amended, Section 44‑81‑40(E), by striking the subsection and inserting:

/ (E)(1) If a community residential care facility resident or a resident’s representative chooses to voluntarily relocate from the resident’s current facility, the resident or the resident’s representative must give the facility administrator written notice of this intent to relocate not less than fourteen days before the resident’s relocation becomes effective. Voluntary relocation does not occur when a resident of a community residential care facility seeks to be discharged because a higher level of care is required or because the resident’s health, safety, or welfare is endangered.

(2) If a community residential care facility resident or a resident’s representative fails to give timely notice as required by this subsection, the facility administrator may charge the resident the equivalent of fourteen days occupancy from the earlier of the date of the relocation or the date the facility administrator received proper notice of the resident’s intent to relocate. However, if the facility is able to fill the bed vacated by the resident, the facility shall cease charging the resident regardless of the notice given. The facility shall notify the previous resident in writing as soon as it fills the bed with a new resident.

(3) Residents participating in the Optional State Supplementation Program are excluded from the requirements of items (1) and (2). /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY 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 38; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Scott Setzler

Shealy Thurmond Turner

Williams Young

**Total--38**

**NAYS**

**Total--0**

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

**ADOPTED**

H. 5132 -- Reps. Jefferson, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G.A. Brown, R.L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb‑Hunter, Cole, H.A. Crawford, K.R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R.L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE OFFICERS, MEMBERS, AND AUXILIARIES OF THE SOUTH CAROLINA STATE CHAPTERS OF ZETA PHI BETA SORORITY, INCORPORATED, FOR THEIR OUTSTANDING SERVICE TO THE CITIZENS OF OUR STATE, OUR NATION, AND THE INTERNATIONAL COMMUNITY, AND TO DECLARE MAY 14, 2014, “ZETA PHI BETA SORORITY DAY” IN SOUTH CAROLINA.

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

**ADOPTED**

H. 5151 -- Reps. Taylor, Wells, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G.A. Brown, R.L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb‑Hunter, Cole, H.A. Crawford, K.R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R.L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Thayer, Toole, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO EXPRESS THE GRATITUDE OF THE SOUTH CAROLINA GENERAL ASSEMBLY TO THE ROTARY CLUB OF AIKEN FOR ITS FINE WORK TOWARD IMPROVING THE READING SKILLS OF AIKEN’S STUDENTS AND TO DECLARE MAY 19, 2014, AS “ROTARY READER RECOGNITION DAY” IN SOUTH CAROLINA.

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

**ADOPTED**

S. 1204 -- Senator Bryant: A CONCURRENT RESOLUTION TO DECLARE THE “GAIN MOMENTUM: BUSINESS EXPO AND SHRIMP & GRITS COOK‑OFF” EVENT, HOSTED BY THE ANDERSON AREA CHAMBER OF COMMERCE, AS THE OFFICIAL STATE SHRIMP & GRITS COOK‑OFF.

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

**AMENDMENT RULED OUT OF ORDER, OBJECTION TO FURTHER CONSIDERATION**

H. 3941 -- Reps. Sandifer, Harrell, Bannister, Daning, Erickson, Forrester and Gambrell: A BILL TO AMEND SECTION 6‑1‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A POLITICAL SUBDIVISION’S AUTHORITY TO SET A MINIMUM WAGE, SO AS TO ALSO PROHIBIT THE MANDATE OF AN EMPLOYEE BENEFIT.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the following amendment.

Senators SCOTT and HUTTO proposed the following amendment (AGM\3941C002.AGM.AB14), which was ruled out of order:

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

/ SECTION 1. Chapter 10, Title 41 of the 1976 Code is amended by adding:

“Article 3

South Carolina Minimum Wage Act

Section 41‑10‑210. This article must be known and may be cited as the ‘South Carolina Minimum Wage Act’.

Section 41‑10‑220. The purpose of this article is to provide measures appropriate for the implementation of Section 16, Article XVII of the South Carolina Constitution, 1895, pursuant to authority granted to the General Assembly by Section 16, Article XVII of the South Carolina Constitution, 1895. The Department of Employment and Workforce is designated as the state agency to implement Section 16, Article XVII of the South Carolina Constitution, 1895.

Section 41‑10‑230. Employers shall at a minimum pay employees a wage at an hourly rate of one dollar above the federal minimum wage for all hours worked in this State. Only those individuals entitled to receive the federal minimum wage under the federal Fair Labor Standards Act and its implementing regulations are eligible to receive this state minimum wage. The provisions of Sections 213 and 214 of the federal Fair Labor Standards Act, as interpreted by applicable federal regulations and implemented by the United States Secretary of Labor, are incorporated herein.

Section 41‑10‑240. (A) Beginning on the first September thirtieth after ratification of Section 16, Article XVII of the South Carolina Constitution, 1895, the department shall calculate an adjusted state minimum wage rate by increasing the state minimum wage from being at least one dollar above the federal minimum wage by the rate of inflation for the twelve months prior to July first. In calculating the adjusted state minimum wage, the department shall use the Consumer Price Index for Urban Wage Earners and Clerical Workers, not seasonally adjusted, for the South Region or a successor index as calculated by the United States Department of Labor. Each adjusted state minimum wage rate shall take effect on the following January first, with the initial adjusted minimum wage rate to take effect on January first following the first September after the ratification of Section 16, Article XVII of the South Carolina Constitution, 1895.

(B) The department annually shall publish the amount of the adjusted state minimum wage and the effective date by posting the adjusted state minimum wage rate and the effective date on the Internet website of the department before October fifteenth of each year. To the extent funded in the annual general appropriations act, the department annually shall provide written notice of the adjusted rate and the effective date of the adjusted state minimum wage to all employers by November fifteenth.

Section 41‑10‑250. It is unlawful for an employer or another party to discriminate or take adverse action against a person in retaliation for exercising rights protected pursuant to Section 16, Article XVII of the South Carolina Constitution, 1895. Rights protected include, but are not limited to, the right to file a complaint or inform any person of his potential rights pursuant to Section 16, Article XVII of the South Carolina Constitution, 1895, and to assist him in asserting these rights.

Section 41‑10‑260. (A) A person aggrieved by a violation of this article may bring a civil action in a court of competent jurisdiction against an employer for violating a provision of this article after notifying the employer alleged to have violated this article, in writing, of an intent to initiate the action. The notice must identify the minimum wage to which the person aggrieved claims entitlement, the actual or estimated work dates and hours for which payment is sought, and the total amount of alleged unpaid wages through the date of the notice.

(B) The employer has fifteen calendar days after receipt of the notice to pay the total amount of unpaid wages or otherwise resolve the claim to the satisfaction of the person aggrieved. The statute of limitations for bringing an action pursuant to this article are tolled during this fifteen‑day period. If the employer fails to pay the total amount of unpaid wages or otherwise resolve the claim to the satisfaction of the person aggrieved, then the person aggrieved may bring a claim for unpaid minimum wages, the terms of which must be consistent with the contents of the notice.

(C)(1) Upon prevailing in an action brought pursuant to this article, aggrieved persons shall recover the full amount of any unpaid back wages unlawfully withheld plus the same amount as liquidated damages and must be awarded reasonable attorney’s fees and costs. As provided under the federal Fair Labor Standards Act, pursuant to Section 11 of the Portal‑to‑Portal Act of 1947, 29 U.S.C. 260, if the employer proves by a preponderance of the evidence that the act or omission giving rise to the action was in good faith and that the employer had reasonable grounds for believing that his or her act or omission was not a violation of Section 16, Article XVII of the South Carolina Constitution, 1895, the court may, in its sound discretion, award no liquidated damages or award any amount not to exceed an amount equal to the amount of unpaid minimum wages. The court shall not award any economic damages on a claim for unpaid minimum wages not expressly authorized in this article.

(2) Upon prevailing in an action brought pursuant to this article, an aggrieved person is also entitled to legal or equitable relief as appropriate to remedy the violation, including, without limitation, reinstatement in employment and injunctive relief. However, any entitlement to legal or equitable relief in an action brought under Section 16, Article XVII of the South Carolina Constitution, 1895, shall not include punitive damages.

Section 41‑10‑270. The Attorney General may bring a civil action to enforce this article, and this action may:

(1) seek injunctive relief;

(2) impose a fine of one thousand dollars for each violation, payable to the department. The department shall remit these funds to the state general fund; or

(3) both.

Section 41‑10‑280. The statute of limitations for an action brought pursuant to this article is for five years and begins on the date on which the alleged violation occurred.

Section 41‑10‑290. An action brought pursuant to this article may be brought as a class action under state law.

Section 41‑10‑300. Except for calculating the adjusted state minimum wage and publishing the initial state minimum wage and any annual adjustments to it, the authority of the department in implementing Section 16, Article XVII of the South Carolina Constitution, 1895, pursuant to this article is limited to that authority expressly granted by the General Assembly.”

SECTION 2. Section 6‑1‑130(B) of the 1976 Code is amended to read:

“(B) A political subdivision of this State may not establish, mandate, or otherwise require a minimum wage rate that exceeds the ~~federal~~ state minimum wage rate set forth in ~~Section 6 of~~ the ~~Fair Labor Standards Act of 1938, 29 U.S.C. 206~~ South Carolina Minimum Wage Act pursuant to Article 3, Chapter 10, Title 41. Also, a political subdivision of this State may not establish, mandate, or otherwise require a minimum wage rate related to employee wages that are exempt under 29 U.S.C. 201 et seq., the Fair Labor Standards Act of 1938.”

SECTION 3. Section 44‑22‑160(A) of the 1976 Code is amended to read:

“(A) ~~Each~~ A patient may refuse nontherapeutic employment within the facility. The department shall establish policies and guidelines to determine what constitutes therapeutic employment. The record and justification of ~~each~~ a patient’s employment must be sent immediately to the attending physician for review and entered into the patient’s record. Patient employment must be compensated in accordance with the Fair Labor Standards Act, except that the employee may receive no less than the state minimum wage provisions of the South Carolina Minimum Wage Act pursuant to Article 3, Chapter 10, Title 41.”

SECTION 4. Section 53‑1‑100 of the 1976 Code is amended to read:

“Section 53‑1‑100. Notwithstanding ~~any other~~ another provision of law, the operation of machine shops and rubber molding and plastic injection molding facilities ~~shall~~ must be exempt from the provisions of this chapter. ~~No~~ A person ~~shall~~ may not be required to work on Sunday ~~who~~ if he is conscientiously opposed to Sunday work. If ~~any~~ a person refuses to work on Sunday because of conscientious or physical objections, he ~~shall~~ does not jeopardize his seniority rights by ~~such~~ the refusal ~~or~~ and may not be discriminated against in any manner. Sunday work ~~shall~~ must be compensated at a rate no less than that required by the ~~Fair Labor Standards Act~~ South Carolina Minimum Wage Act pursuant to Article 3, Chapter 10, Title 41.”

SECTION 5. Section 53‑1‑110 of the 1976 Code is amended to read:

“Section 53‑1‑110. Notwithstanding ~~any other~~ another provision of law, the manufacture and finishing of textile products ~~shall be~~ is exempt from the provisions of Chapter 1, Title 53~~, as amended~~. Provided, however, that ~~no~~ a person ~~shall~~ may not be required to work on Sunday ~~who~~ if he is conscientiously opposed to Sunday work. If ~~any~~ a person refuses to work on Sunday because of conscientious or physical objections, he ~~shall~~ does not jeopardize his seniority rights by ~~such~~ the refusal ~~or~~ and may not be discriminated against in any manner. Sunday work ~~shall~~ must be compensated at a rate no less than that required by the ~~Fair Labor Standards Act~~ South Carolina Minimum Wage Act pursuant to Article 3, Chapter 10, Title 41.”

SECTION 6. Sections 41‑10‑10 through 41‑10‑110 of the 1976 Code are designated as Article 1, Chapter 10, Title 41 entitled “Payment of Wages Generally”. The Code Commissioner is directed to change references from “chapter” to “article” as appropriate to reflect the designated provisions.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 8. The provisions of this act take effect upon approval by the Governor and are contingent on the ratification of a constitutional amendment to Section 16, Article XVII of the South Carolina Constitution, 1895, providing for a mandatory minimum wage in South Carolina. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

Senator KIMPSON spoke on the Bill.

**Point of Order**

Senator LARRY MARTIN 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 SCOTT spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator SETZLER objected to further consideration of the Bill.

**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.

H. 3797 -- Reps. Sandifer and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑90‑165 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY DECLARE A CAPTIVE INSURANCE COMPANY INACTIVE IN CERTAIN CIRCUMSTANCES AND THAT THE DIRECTOR MAY MODIFY THE MINIMUM TAX PREMIUM APPLICABLE TO THE COMPANY DURING INACTIVITY; BY ADDING SECTION 38‑90‑215 SO AS TO PROVIDE A PROTECTED CELL MAY BE EITHER INCORPORATED OR UNINCORPORATED, AND TO PROVIDE REQUIREMENTS FOR EACH; BY ADDING SECTION 38‑90‑250 SO AS TO PROVIDE THE DEPARTMENT MUST CONSIDER A LICENSED CAPTIVE INSURANCE COMPANY THAT MEETS THE REQUIREMENTS OF AN INSURER FOR ISSUANCE OF A CERTIFICATE OF AUTHORITY TO ACT AS AN INSURER; TO AMEND SECTION 38‑90‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE ADDITIONAL TERMS AND REVISE DEFINITIONS OF CERTAIN EXISTING TERMS; TO AMEND SECTION 38‑90‑20, AS AMENDED, RELATING TO THE DOCUMENTATION REQUIRED FOR LICENSING CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE THE REQUIREMENT OF A CERTIFICATE OF GENERAL GOOD ISSUED BY THE DIRECTOR; TO AMEND SECTION 38‑90‑35, RELATING TO THE CONFIDENTIALITY OF INFORMATION CONCERNING CAPTIVE INSURANCE COMPANIES SUBMITTED TO THE DEPARTMENT OF INSURANCE, SO AS TO REVISE REQUIREMENTS FOR MAKING THE INFORMATION SUBJECT TO DISCOVERY IN A CIVIL ACTION; TO AMEND SECTION 38‑90‑40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS, SECURITY REQUIREMENTS, AND RESTRICTIONS ON DIVIDEND PAYMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK, AND TO REVISE REQUIREMENTS FOR CONTRIBUTIONS TO A CAPTIVE INSURANCE COMPANY INCORPORATED AS A NONPROFIT, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS OF A CAPTIVE INSURANCE COMPANY, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK; TO AMEND SECTION 38‑90‑55, AS AMENDED, RELATING TO THE INCORPORATION OF CAPTIVE INSURANCE COMPANIES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE, AND THE ISSUANCE OF CAPITAL STOCK AT PAR VALUE; TO AMEND SECTION 38‑90‑60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE AVAILABLE OPTIONS; TO AMEND SECTION 38‑90‑80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF CAPTIVE INSURANCE COMPANIES BY THE DEPARTMENT, SO AS TO DELETE REFERENCES TO PURE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38‑90‑90, AS AMENDED, RELATING TO THE SUSPENSION OR REVOCATION OF A CAPTIVE INSURANCE LICENSE, SO AS TO MAKE A GRAMMATICAL CHANGE; TO AMEND SECTION 38‑90‑100, AS AMENDED, RELATING TO THE LOANS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE A SPONSORED CAPTIVE INSURANCE COMPANY MAY MAKE LOANS TO ITS PARENT COMPANY IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38‑90‑130, AS AMENDED, RELATING THE PROHIBITION AGAINST PARTICIPATION IN PLAN, POOL, ASSOCIATION, GUARANTY, OR INSOLVENCY FUNDS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE CAPTIVE INSURANCE COMPANIES, INCLUDING PURE CAPTIVE INSURANCE COMPANIES, MAY PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑180, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS RELATING TO INSURANCE, SO AS TO PROVIDE REQUIREMENTS FOR THE NAME OF NEW CAPTIVE INSURANCE COMPANIES, TO PROVIDE CIRCUMSTANCES IN WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH PROTECTED CELLS, INCLUDING REQUIREMENTS FOR A PLAN OF OPERATION, THE ATTRIBUTIONS OF ASSETS AND LIABILITIES BETWEEN A PROTECTED CELL AND THE GENERAL ACCOUNT OF THE SPONSORED CAPTIVE INSURANCE COMPANY, AND ADMINISTRATIVE AND ACCOUNTING PROCEDURES; TO AMEND SECTION 38‑90‑210, RELATING TO THE SEPARATE ACCOUNTING OF PROTECTED CELLS WHEN ESTABLISHED, SO AS TO REQUIRE THIS ACCOUNTING MUST REFLECT THE PARTICIPANTS OF THE PROTECTED CELL IN ADDITION TO EXISTING REQUIREMENTS; TO AMEND SECTION 38‑90‑220, AS AMENDED, RELATING TO CERTAIN REQUIREMENTS APPLICABLE TO SPONSORS OF CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38‑90‑230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THAT PROTECTED CELLS ASSETS ARE ONLY AVAILABLE TO CREDITORS OF THE SPONSORED CAPTIVE INSURANCE COMPANY AND RELATED REQUIREMENTS, AND TO PROVIDE REQUIREMENTS CONCERNING OBLIGATIONS OF SPONSORED CAPTIVE INSURANCE COMPANIES WITH RESPECT TO PROTECTED CELLS AND ITS GENERAL ACCOUNT; TO AMEND SECTION 38‑90‑240, RELATING TO THE ELIGIBILITY OF A LICENSED CAPTIVE INSURANCE COMPANY FOR CERTIFICATE OF AUTHORITY TO ACT AS INSURER, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE FOR WHO MAY PARTICIPATE IN A SPONSORED CAPTIVE INSURANCE COMPANY AND OBLIGATIONS OF THESE PARTICIPANTS, AND TO PROVIDE SPONSORED CAPTIVE INSURANCE COMPANIES MAY NOT BE USED TO FACILITATE INSURANCE SECURITIZATION TRANSACTIONS; TO AMEND SECTION 38‑90‑450, AS AMENDED, RELATING TO ORGANIZATION REQUIREMENTS FOR SPECIAL PURPOSE FINANCIAL CAPTIVES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, AND PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE; AND TO REPEAL SECTION 38‑90‑235 RELATING TO TERMS AND CONDITIONS FOR PROTECTED CELL INSURANCE COMPANIES TO APPLY TO SPONSORED CAPTIVE INSURANCE COMPANIES.

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

S. 866 -- Senators L. Martin and Campsen: A BILL TO AMEND CHAPTER 5, TITLE 7, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO COUNTY ELECTION COMMISSIONS AND BOARDS OF VOTER REGISTRATION, TO REPLACE CURRENT COUNTY ELECTION COMMISSIONS AND REGISTRATION BOARDS, TO DEVOLVE THEIR RESPONSIBILITIES AND AUTHORITY TO A COMBINED BOARD OF VOTER REGISTRATION AND ELECTIONS FOR EACH COUNTY, TO PROVIDE FOR THE APPOINTMENT OF BOARD MEMBERS, AND TO ESTABLISH TERMS, DUTIES, AND AUTHORITY FOR THE BOARDS; TO REPEAL SECTION 7‑5‑35 AND SECTION 7‑13‑70; AND TO REPEAL CHAPTER 27, TITLE 7 RELATING TO INDIVIDUAL COUNTY BOARDS AND COMMISSIONS.

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

H. 3191 -- Reps. Cole and Tallon: A BILL TO AMEND SECTIONS 56‑5‑130 AND 56‑5‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS “MOTOR VEHICLE” AND “MOTORCYCLE”, SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

S. 1163 -- Senators Young, Lourie, Shealy, L. Martin and Alexander: A BILL TO AMEND SECTION 63‑7‑940 OF THE 1976 CODE, RELATING TO THE USE OF UNFOUNDED ABUSE AND NEGLECT CASE INFORMATION AND SECTION 63‑7‑1990, RELATING TO THE CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION CONCERNING THE CENTRAL CHILD ABUSE AND NEGLECT REGISTRY, TO PROVIDE THAT INFORMATION WHCH MUST OTHERWISE REMAIN CONFIDENTIAL MAY BE RELEASED BY THE DIRECTOR OR DESIGNEE TO CONFIRM, CLARIFY, OR CORRECT INFORMATION CONCERNING A CASE THAT HAS BEEN MADE PUBLIC BY SOURCES OTHER THAN THE DEPARTMENT, TO RESPOND TO AN INQUIRY FROM A COMMITTEE OR SUBCOMMITTEE OF THE SENATE OR THE HOUSE OF REPRESENTATIVES OR A JOINT COMMITTEE OF THE GENERAL ASSEMBLY, OR TO COMPLY WITH REQUIREMENTS OF THE FEDERAL CHILD ABUSE PREVENTION AND TREATMENT ACT AND TO LIMIT CIVIL LIABILITY RESULTING FROM THE DISCLOSURE.

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

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4410, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 4316, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4426, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO ESTABLISH AND AMEND SCHEDULES OF FEES FOR CERTAIN PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4437, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 4382 -- Rep. Gilliard: A CONCURRENT RESOLUTION TO URGE OUR FEDERAL, STATE, AND LOCAL GOVERNMENTS, ALONG WITH CHURCHES AND NEIGHBORHOOD ASSOCIATIONS, TO ACCELERATE THEIR EFFORTS TO ASSIST THE HOMELESS IN LIGHT OF THE NATION’S ECONOMY AND ADVERSE WEATHER CONDITIONS.

On motion of Senator LEATHERMAN, the Concurrent Resolution was carried over.

H. 4873 -- Rep. Cobb‑Hunter: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA’S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL AS “CHILD ABUSE PREVENTION MONTH” IN THE STATE OF SOUTH CAROLINA.

On motion of Senator HUTTO, the Concurrent Resolution was carried over.

H. 4702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2013‑2014, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

S. 1259 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DEFINED PROGRAM FOR THE PALMETTO UNIFIED SCHOOL DISTRICT (PUSD), DESIGNATED AS REGULATION DOCUMENT NUMBER 4421, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1260 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCREDITATION CRITERIA, DESIGNATED AS REGULATION DOCUMENT NUMBER 4400, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1261 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SCHOOL ADMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4397, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1262 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SCHOOL SUPERINTENDENT COMPENSATION AND BENEFITS/EXPENSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4391, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1263 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO UTILIZATION OF GENERAL TEACHER CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4396, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1264 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO OPERATION AND FUNDING OF TEACHER TRAINING COURSES IN MATHEMATICS, SCIENCE, READING, AND COMPUTER EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4405, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 4922 -- Reps. G.M. Smith, Rutherford, Cobb‑Hunter, Sandifer, Weeks, Delleney, White, Gilliard, Anderson and Hosey: A BILL TO AMEND SECTION 1‑13‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES AND EXCEPTIONS, SO AS TO PROVIDE THAT IT IS NOT AN UNLAWFUL EMPLOYMENT PRACTICE FOR A PRIVATE EMPLOYER TO GIVE HIRING PREFERENCES TO A VETERAN, AND TO EXTEND THE PREFERENCE TO THE VETERAN’S SPOUSE IF THE VETERAN HAS A SERVICE‑CONNECTED PERMANENT AND TOTAL DISABILITY.

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

S. 1265 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO TEACHER GRANTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4409, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1266 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4404, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1267 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DISPLAYING THE FLAG, DESIGNATED AS REGULATION DOCUMENT NUMBER 4403, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1268 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCREDITATION STANDARDS FILED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4401, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 139 -- Senators Grooms, L. Martin, Campbell and Rankin: A BILL TO AMEND SECTION 56‑5‑1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION AND PROVIDE A DEFINITION FOR THE TERMS “HIGHWAY WORK ZONE” AND “HIGHWAY WORKER”, TO CREATE THE OFFENSES OF “ENDANGERMENT OF A HIGHWAY WORKER” AND “AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER”, AND TO PROVIDE PENALTIES FOR BOTH OFFENSES; TO AMEND SECTION 56‑1‑720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT “ENDANGERMENT OF A HIGHWAY WORKER” AND “AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER” ARE TWO POINT VIOLATIONS; AND TO REPEAL SECTION 56‑5‑1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

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

H. 3191 -- Reps. Cole and Tallon: A BILL TO AMEND SECTIONS 56‑5‑130 AND 56‑5‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS “MOTOR VEHICLE” AND “MOTORCYCLE”, SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

**THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4701, THE GENERAL APPROPRIATIONS BILL.**

**REPORT OF THE SENATE FINANCE COMMITTEE ADOPTED*,* AMENDED**

**DEBATE INTERRUPTED**

**H. 4701--GENERAL APPROPRIATIONS BILL**

H. 4701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

Senator LEATHERMAN spoke on the report.

**Objection**

Senator SHANE MARTIN movedthat H. 4701, the General Appropriations Bill, be given a second reading, carrying over all amendments to third reading with all members reserving their rights as to points of order.

Senator SCOTT objected.

**Point of Order**

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

Senator BRYANT spoke on the Point of Order.

Senator MALLOY spoke on the Point of Order.

Senator LEATHERMAN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order stating that the Point of Order was premature.

**Point of Order**

Senator MALLOY raised a Point of Order under Rule 37 that the Report of the Committee on Finance had not been on the Desk for one day.

Senator LEATHERMAN spoke on the Point of Order.

Senator MALLOY spoke on the Point of Order.

On motion of Senator MALLOY, with unanimous consent, the Point of Order was withdrawn.

Senator LEATHERMAN spoke on the report.

**Motion Adopted**

**Report of the Committee on Finance Adopted**

Senator LEATHERMAN asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection and the motion was adopted.

The Report of the Committee on Finance was adopted.

**Motion Adopted**

On motion of Senator LEATHERMAN, with unanimous consent, staff members from the Budget and Control Board were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff and other staff designated by the PRESIDENT *Pro Tempore* were admitted to the floor of the Senate Chamber while debate was in progress on H. 4701, the General Appropriations Bill.

There was no objection and the motion was adopted.

**Report of the Subcommittee on K-12 Education**

Senator HAYES, Chairman of the Subcommittee on K-12 Education, wasrecognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on**

**Judicial and Criminal Justice**

Senator FAIR, Chairman of the Subcommittee on Judicial and Criminal Justice, wasrecognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on Higher Education**

Senator COURSON, Chairman of the Subcommittee on Higher Education, wasrecognized to report to the Senate regarding the work of the subcommittee.

**RECESS**

At 2:00 P.M., on motion of Senator LEATHERMAN, the Senate receded from business until 3:00 P.M.

**Recorded Vote**

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

At 3:07 P.M., the Senate resumed.

**Point of Quorum**

At 3:07 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 Bennett Bright

Campbell Cromer Davis

Fair Gregory Grooms

Hayes Hutto Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey McGill Peeler

Rankin Setzler Shealy

Thurmond Turner Young

A quorum being present, the Senate resumed.

**Recorded Presence**

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

**Report of the Subcommittee on**

**Health and Human Services**

Senator ALEXANDER, Chairman of the Subcommittee on Health and Human Services, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on**

**Natural Resources and Economic Development**

Senator McGILL, Chairman of the Subcommittee on Natural Resources and Economic Development, wasrecognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on**

**Transportation and Regulatory Laws**

Senator SETZLER, Chairman of the Subcommittee on Transportation and Regulatory Laws, wasrecognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on**

**Constitutional Officers and Administrative Laws**

Senator CROMER, Chairman of the Subcommittee on Constitutional and Administrative Laws, wasrecognized to report to the Senate regarding the work of the subcommittee.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator JACKSON rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Objection**

Senator HAYES asked unanimous consent to make a motion to take up H. 3893 on an uncontested basis before further consideration of H. 4701.

Senator MALLOY objected.

**Amendment No. 11**

Senators LARRY MARTIN, MASSEY, HEMBREE, BENNETT, BRYANT, SHANE MARTIN, BRIGHT, CORBIN and GREGORY proposed the following amendment (DAD FLIP 4K & LGF), which was carried over:

Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 5, line 2, opposite “CDEPP” by:

COLUMN 7 COLUMN 8

/ STRIKING: 8,472,078 8,472,078

and

INSERTING: 2,867,631 2,867,631/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 12, line 16, opposite “CDDEP - SCDE” by:

COLUMN 7 COLUMN 8

/ STRIKING: 15,807,402 15,807,402

and

INSERTING: 5,399,144 5,399,144/

Amend the bill further, as and if amended, Part IA, Section 110, AID TO SUBDIVISIONS - STATE TREASURER, page 323, line 3, opposite “AID - LOCAL GOV’T FUND” by:

COLUMN 7 COLUMN 8

/ STRIKING: 187,619,411 187,619,411

and

INSERTING: 203,632,116 203,632,116/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 578, proviso 118.16, line 30-31, by striking:

/ *(2) X22 - Local Government Fund, State Treasurer*

*Local Government Fund $ 16,012,705;*/

and inserting:

/ *(2) H63 - Department of Education*

*(a) CDEPP $ 10,408,258;*

*(b) First Steps-CDEPP $ 5,604,447;* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LARRY MARTIN explained the amendment.

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

**Amendment No. 6**

Senator HAYES proposed the following amendment (DAD 1.49 RTF), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 348, proviso 1.49, line 1, by striking the line in its entirety and inserting /with and without disabilities, who are referred*, authorized,* or placed by the State is vested in the facility school districts. *For purposes of this proviso, an authorization must be pursuant to a physician’s determination of medical necessity.* If clinically/

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 349, proviso 1.49, line 8, after “guardian” and before “,” by inserting:

/*and is not referred, authorized, or placed by the State*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HAYES explained the amendment.

The amendment was adopted.

**Amendment No. 2**

Senator CAMPBELL proposed the following amendment (QH REGIONAL EDUCATION CENTERS - OUTREACH), which was adopted:

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 453, proviso 50.18, line 3-5, by striking:

/ *(CMRC: Regional Education Centers)  From the funds appropriated to the Department of Commerce in this act, $250,000 shall be utilized to undertake a comprehensive outreach program to promote the information, resources, and services provided by regional education centers to students, educators, employers, and communities throughout the state.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

**Amendment No. 5**

Senator HAYES proposed the following amendment (DAD 1.78 CDEPP TECNICAL), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 356, proviso 1.78, lines 33‑34, and page 357, line 30, by striking /Division of Research and Statistics of the Budget and Control Board/ and inserting /*Revenue and Fiscal Affairs Office*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HAYES explained the amendment.

The amendment was adopted.

**Amendment No. 4**

Senator HAYES proposed the following amendment (DAD 1A.3 PUBLICLY FUNDED PRE-K), which was adopted:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 370, proviso 1A.3, line 9, by striking /*public*/ and inserting /*publicly funded*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HAYES explained the amendment.

The amendment was adopted.

**Amendment No. 7**

Senator SHANE MARTIN proposed the following amendment (DG SM AGENDA21), which was adopted:

Amend the bill, as and if amended, Part IB, Section 110, STATE TREASURER - AID TO SUBDIVISIONS, page 518, by striking proviso 110.6 in its entirety, and inserting:

/ 110.6. (AS‑TREAS: Transparency‑Political Subdivision Appropriation of Funds) (A) A political subdivision receiving aid from the Local Government Fund may not:

(1) appropriate money to any entity unless that appropriation appears as a separate and distinct line item in the political subdivision’s budget or in an amendment to the political subdivision’s budget; *~~or~~*

(2) except in cases of emergency or unforeseen circumstances, donate funds to a non‑profit organization unless the amounts donated are appropriated on a separate and distinct line item in the political subdivision’s budget or an amendment to the political subdivision’s budget that includes the names of the entities to which the donations are being made. In the case of an emergency or unforeseen circumstances, a political subdivision may donate funds to a non‑profit organization if the amount and purpose of the proposed donation and the nature of the emergency or unforeseen circumstances necessitating the donation are announced in open session at a public meeting held by the governing body of the political subdivision and the funds are not delivered to the organization for five days following the announced intent to make the donation*; or*

*(3) accept any funds from non‑governmental and inter‑governmental organizations as defined in Agenda 21, adopted by the United Nations in 1992 at its Conference on Environment and Development, accredited and enlisted by the United Nations to assist in the implementation of its policies relative to Agenda 21 around the world without posting the following on the political subdivision’s website for ten days:*

*(a) a full and detailed list of the funding program, including a designation that the funding program is associated with Agenda 21,*

*(b) the amount of funds involved,*

*(c) every mandate or requirement or action that will result from the grant or funding program’s implementation,*

*(d) any and all projected costs to the political subdivision, business, or individual associated with the grant or funding program, and*

*(e) the stated goals and expected results of the grant or funding program*.

(B) A political subdivision receiving aid from the Local Government Fund may not appropriate money to any entity without the requirement that the entity provides at the end of the fiscal year a detailed description of the purposes for which the money was used. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHANE MARTIN explained the amendment.

The amendment was adopted.

**Amendment No. 12**

Senator BRIGHT proposed the following amendment (4701R003.LB.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 562, after line 4, by adding an appropriately numbered new proviso to read:

*/ 117.\_\_\_ (GP: Family Planning Funds) (A) Notwithstanding any other law, federal family planning funds and state family planning funds shall be awarded to eligible individuals, organizations, or entities applying to be family planning contractors in the following order of descending priority:*

*(1)* *public entities that provide family planning services, including state, county, and local community health clinics and federally qualified health centers;*

*(2)* *nonpublic entities that provide comprehensive primary and preventive health services, as described in 42 U.S.C. 254b(b)(1)(A), in addition to family planning services; and*

*(3)* *nonpublic entities that provide family planning services but do not provide comprehensive primary and preventive health services.*

*(B)* *Family planning funds must be distributed in compliance with federal law to ensure distribution in a manner that does not severely limit or eliminate access to family planning services in any region of the State.*

*(C)* *Any department, agency, board, commission, office, or other instrumentality of the State that distributes family planning funds shall submit an annual report to the General Assembly listing any family planning contractors that fall under item (A)(3), and the amount of federal or state family planning funds they received. The report shall provide a detailed explanation of how it was determined that there were an insufficient number of eligible individuals, organizations, or entities in items (A)(1) and (A)(2) to prevent a significant reduction in family planning services in each region of the State where (A)(3) contractors are located.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

On motion of Senator HUTTO, the amendment was carried over.

**Objection**

Senator LEATHERMAN asked, with unanimous consent, to make a motion to carry over H. 4701 and take up H. 3893 on an uncontested basis and then revert back to H. 4701.

Senator MALLOY objected.

**Motion Adopted**

On motion of Senator LEATHERMAN, H. 4701 was carried over.

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

**MOTION ADOPTED**

At 4:50 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**Motion Failed**

Senator MALLOY moved that the Senate stand adjourned.

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

**Ayes 6; Nays 34**

**AYES**

Coleman Kimpson Malloy

Matthews Pinckney Scott

**Total--6**

**NAYS**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Leatherman

Lourie *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Rankin Reese Shealy

Thurmond Turner Williams

Young

**Total--34**

The Senate refused to adjourn.

**THE SENATE PROCEEDED TO THE BILLS RETURNED FROM THE HOUSE.**

**CARRIED OVER**

S. 75 -- Senator Cromer: A BILL TO AMEND SECTION 40‑57‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE RENEWALS FOR REAL ESTATE BROKERS AND SALESMEN, SO AS TO REQUIRE A CRIMINAL BACKGROUND CHECK FROM A SOURCE APPROVED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; AND BY ADDING SECTION 40‑57‑245 SO AS TO REQUIRE THAT THE DEPARTMENT ASSIGN ONE INVESTIGATOR FOR EVERY TWO THOUSAND FIVE HUNDRED LICENSEES TO ENSURE COMPLAINTS ARE PROCESSED AND CONSIDERED IN AN EXPEDITIOUS MANNER.

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

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 3893 -- Reps. Bedingfield, G.R. Smith, Loftis, Stringer, Burns, Hamilton, Erickson, Taylor, Clemmons, Delleney, Pitts, Willis, Chumley, Henderson, Rivers, Crosby, McCoy and Wood: A BILL TO AMEND SECTION 59‑18‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADOPTION OF NEW STATEWIDE EDUCATION STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE SUCH AN ADOPTION MUST NOT BE IMPLEMENTED UNTIL APPROVED BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION.

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

Senator MALLOY spoke on the Bill.

**Amendment No. 3**

Senators HUTTO and HAYES proposed the following amendment (AGM\3893C006.AGM.AB14), which was adopted:

Amend the bill, as and if amended, Section 59‑18‑325(C)(1)(b), as contained in SECTION 3, page 4, lines 21‑22, by deleting / with optional interim formative assessments /.

Amend the bill further, Section 59‑18‑325(C)(3), as contained in SECTION 3, page 5, line 17, by adding / Formative assessments must continue to be adopted, selected, and administered pursuant to Section 59‑18‑310. / after / 2018‑2019. /.

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

There being no further amendments, the Bill was read the third time and ordered returned to the House with amendments.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Union County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Jeffery D. Bailey, 703 Mount Taber Church Rd., Union, SC 29374

Reappointment, Union County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Arthur T. Sprouse, Jr., P.O. Box 310, Pauline, SC 29374

**Motion Adopted**

On motion of Senator COURSON, the Senate stood adjourned.

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Helen S. Blackmon of Greenwood, S.C. Ms. Blackmon retired from Schlumberger and later retired from Countybank, serving both as their travel coordinator and receptionist. She was a charter member of Emerald Baptist Church and current member of West Side Baptist Church. Ms. Blackmon was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Rev. Dr. William F. Bishop, Jr. of Leesville, S.C. Rev. Bishop graduated from Furman University in 1958. He preached his first sermon at the age of 16 years old at Westside Baptist Church in Chester and his last sermon at the age of 77 at Seivern Baptist Church. He and his wife were co-founders of the S.C. Autism Society where he served on the Board of Directors and as president. Bill enjoyed fishing, hunting, golf, horses and working on his farm. Bill was a loving husband and devoted father who will be dearly missed.

**ADJOURNMENT**

At 5:10 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 10:00 A.M.

**Recorded Vote**

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

\* \* \*