**Tuesday, June 3, 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 ACTING PRESIDENT, Senator LARRY MARTIN.

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

In the first book of Chronicles we read that:

“David reigned over all Israel, doing what was just and right for all his people.”

(I Chronicles 18:14)

Bow in prayer with me, if you will:

Glorious God, as it was written about David so long ago, may it also be said of these Senators who serve South Carolina: that they also sought to do “what was just and right.” Certainly the lady and the gentlemen who labor in this place desire to do their best, as do each of the staff members who work along with them. When the dust soon settles at the close of this Session, may the citizens of our State declare with one voice: “Well done!” Also, O God, we lift up to You the Senate’s own DeAnne Gray in the death this past Saturday of her mother, Dorothy Raven. Hold DeAnne and her family in Your loving arms. All of this we pray in Your tender and hopeful name, dear Lord. Amen.

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

**Point of Quorum**

At 12:06 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

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hutto Johnson

Kimpson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

Nicholson O'Dell Peeler

Rankin Setzler Shealy

Thurmond Turner Verdin

Williams Young

A quorum being present, the Senate resumed.

**Presentation of Service Pins**

In commemoration of continuous service with the State of South Carolina, Senator COURSON, PRESIDENT *Pro Tempore* of the Senate, presented certificates and awarded service pins to the following Senate staff for their respective years of state service:

10 Year Pins

Richard A. Webb

20 Year Pins

Charles Grant Gibson

30 Year Pins

Paula G. Benson

Frances Alicia Eatmon

40 Year Pins

Kathie L. Marsh

Betty S. Graham

Senator COURSON presented a certificate and service pin to the following Senators for their years of service:

10 Year Pins

Kevin L. Bryant

Raymond E. Cleary III

30 Year Pins

John E. Courson

Michael L. Fair

Robert W. Hayes, Jr.

40 Year Pins

John W. Matthews, Jr.

All were highly commended for their years of devoted and loyal service.

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

Initial Appointment, Berkeley County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Otis C. Prioleau, 116 Universal Circle, Alvin, SC 29479 *VICE* New Seat

Initial Appointment, Berkeley County Master-in-Equity, with the term to commence November 7, 2014, and to expire November 7, 2020

Dale Van Slambrook, 103 Six Point Court, Goose Creek, SC 29445 *VICE* Hon. Robert E. Watson

Initial Appointment, Jasper County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Jacqueline S. Lee, 595 Gillison Branch Road, Garnett, SC 29922 *VICE* Judge Ashley Brown

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Deirdre L. Simmons, 825 Brickingham Way, Columbia, SC 29229 *VICE* New Seat

Initial Appointment, Williamsburg County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Vasker C. Bartell, 711 Bartells Road, Lake City, SC 29560 *VICE* Judge William E. Ackerman (Part Time)

Initial Appointment, Williamsburg County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Curtis Keels, 52 Beaver Creek Road, Kingstree, SC 29556 *VICE* Judge William E. Ackerman (Part Time)

**Doctor of the Day**

Senator LOURIE introduced Dr. William D. Anderson of Columbia, S.C., Doctor of the Day. Dr. Anderson is Chief Medical Officer of USC School of Medicine and Associate Dean of Clinical Affairs and is on the Board of Directors of SC Academy of Family Physicians.

**Leave of Absence**

At 1:30 P.M., Senator CORBIN requested a leave of absence until 3:00 P.M.

**RECALLED**

H. 4788 -- Reps. Burns, Bedingfield, Chumley, H.A. Crawford, Goldfinch, Loftis, Norman, Putnam, Stringer, Willis, Wood, Barfield and Douglas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑65 SO AS TO DESIGNATE THE SECOND SUNDAY IN AUGUST AS “SPIRIT OF ‘45 DAY”.

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

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

**ACTING PRESIDENT PRESIDES**

Senator CROMER assumed the Chair.

**Motion Adopted**

On motion of Senator RANKIN, with unanimous consent, Senators MASSEY, SHEHEEN and RANKIN were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**RETURNED REQUESTED FROM LEGISLATIVE COUNCIL**

**HOUSE AMENDMENTS AMENDED**

**RETURNED TO THE HOUSE AS AMENDED**

S. 985 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 1, TITLE 6, TO ENACT THE “FAIRNESS IN LODGING ACT” SO AS TO ALLOW MUNICIPALITIES AND COUNTIES BY ORDINANCE TO IMPLEMENT ADDITIONAL ENFORCEMENT PROVISIONS FOR THE BUSINESS LICENSE TAX AND THE LOCAL ACCOMMODATIONS TAX AS THOSE PROVISIONS APPLY TO THE OWNERS OF RESIDENTIAL REAL PROPERTY WHO RENT THE PROPERTY TO TOURISTS, INCLUDING DATA SHARING WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SPECIFIC NOTICE TO PROPERTY OWNERS INCLUDED IN PROPERTY TAX BILLS, AN ADDITIONAL PENALTY THAT MAY BE IMPOSED FOR NONCOMPLIANCE AFTER THE RECEIPT OF SUCH A NOTICE, AND DIRECTIONS TO THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO IDENTIFY “RENTAL BY OWNER” WEBSITES ADVERTISING TOURISTS RENTALS AND REQUEST THEM TO POST ON THE WEBSITES A STATEMENT REGARDING THE LEGAL OBLIGATIONS OF THE OWNERS OF PROPERTY IN THIS STATE LISTED ON THE WEBSITE, TO PAY ALL APPLICABLE LOCAL AND STATE TAXES AND FEES WITH RESPECT TO SUCH RENTALS; AND TO AMEND SECTIONS 6‑1‑120, 12‑54‑240, AS AMENDED, AND 12‑4‑310, RELATING RESPECTIVELY TO THE CONFIDENTIALITY OF LOCAL AND STATE TAX DATA AND EXCEPTIONS THERETO, AND THE DUTIES OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SO AS TO CONFORM THEM TO THE PROVISIONS OF THIS ACT.

On motion of Senator CLEARY, with unanimous consent, the Bill was recalled from Legislative Council.

The Bill was returned from Legislative Council.

On motion of Senator CLEARY, the Senate reconsidered the vote whereby the Senate concurred in the House amendments.

Senator CLEARY proposed the following amendment (BBM\985C001.BBM.HTC14), which was adopted:

Amend the bill, as and if amended, by striking Section 6‑1‑610, Section 6‑1‑615, and Section 6‑1‑620, as contained in SECTION 1, beginning on page 2 and inserting:

/ Section 6‑1‑610. (A) This article may be cited as the ‘Fairness in Lodging Act’.

(B) The General Assembly finds that:

(1) providing lodging accommodations for tourists is a major business in this State;

(2) there are instances where individuals who rent residential accommodations to tourists are failing to collect and remit the local accommodations tax imposed pursuant to Article 5 of this chapter and the state sales tax on accommodations imposed pursuant to Section 12‑36‑920;

(3) those who fail to collect and remit local and state taxes on providing accommodations to transients are competing unfairly against those who dutifully meet these legal obligations;

(4) by the enactment of the Fairness in Lodging Act, municipalities and counties are provided the option to exercise additional enforcement authority with respect to these taxes and to engage in active cooperation with the South Carolina Department of Revenue in data sharing, to provide comprehensive enforcement of the applicable accommodations tax laws so as to promote a more equal competitive playing field for those engaged in this State in the business of renting accommodations to tourists.

Section 6‑1‑615. (A) The governing body of a municipality or county by ordinance may implement the provisions of this article if it imposes the local accommodations tax provided pursuant to Article 5 of this title. This article applies in the applicable jurisdiction when a certified copy of the implementation ordinance is provided to the Director of the South Carolina Department of Revenue.

(B) The provisions of this article do not apply to any residential real property lawfully assessed for property tax purposes pursuant to Section 12‑43‑220(c) when all rental income on the property is not included in gross income for federal income tax purposes pursuant to Internal Revenue Code Section 280A(g).

Section 6‑1‑620. (A) When the provisions of this article apply in an implementing jurisdiction, the South Carolina Department of Revenue, and the implementing jurisdiction using returns and copies of returns and other documents filed with or otherwise available to them shall share data helpful to both the department and the implementing jurisdiction in determining possible instances of noncompliance.

(B) Implementing jurisdictions shall include or cause to be included notices in annual property tax notices for parcels of residential real property assessed for property tax purposes pursuant to Section 12‑43‑220(e) as the implementing jurisdiction determines appropriate. These notices must provide details of local accommodations tax, and state sales tax on accommodations required to be paid by persons renting residential real property to tourists in the implementing jurisdiction and the intention of the implementing jurisdiction vigorously to enforce these requirements. Details must include specific information on obtaining additional information with respect to these requirements and the names, addresses, and telephone numbers of officials of implementing jurisdictions that are able to answer questions, provide forms, and assist in compliance. Counties must be reimbursed by implementing municipalities for extra expenses incurred by a county in providing these notices.

(C) In addition to other penalties and interest imposed by the ordinance of an implementing jurisdiction for failure to comply with local accommodations tax requirements imposed pursuant to Article 5 of this chapter required of owners in the business of renting residential accommodations to tourists, the jurisdiction may impose, with respect to a single rental property, a one‑time civil penalty for noncompliance for failure to collect and remit local accommodations tax of not less than five hundred dollars nor more than two thousand dollars for each seven days the property was rented. This additional penalty may not be imposed unless the owner has received the notice provided pursuant to subsection (B). For purposes of enforcement and collection, this penalty is deemed property tax on the rental property. /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill was ordered returned to the House with amendments.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1357 -- Senator Fair: A SENATE RESOLUTION TO RECOGNIZE THE HABITAT FOR HUMANITY OF SOUTH CAROLINA AND HONOR THE ORGANIZATION FOR CONTINUING TO FOSTER STRONGER FAMILIES AND NEIGHBORHOODS IN THE STATE.

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The Senate Resolution was adopted.

S. 1358 -- Senator Malloy: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DR. JAMES "JIM" WAYNE LEMKE AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1359 -- Senators L. Martin, Lourie, McElveen, Rankin, Sheheen and Young: A SENATE RESOLUTION TO HONOR AND COMMEND VIRGINIA LEAMAN CROCKER FOR HER DISTINGUISHED AND DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1360 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JACKIE SWINDLER, CHIEF OF POLICE FOR THE CITY OF NEWBERRY, UPON THE OCCASION OF HIS RETIREMENT ON JUNE 30, 2014, AFTER ALMOST FOUR DECADES OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1361 -- Senator McGill: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. TYRONE WALLACE OF FLORENCE COUNTY FOR HIS MANY PROFESSIONAL, COMMUNITY, AND PERSONAL ACCOMPLISHMENTS, AND TO WISH HIM GREAT SUCCESS, HEALTH, AND HAPPINESS FOR MANY YEARS TO COME.

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The Senate Resolution was adopted.

S. 1362 -- Senator Allen: A SENATE RESOLUTION TO COMMEND CATHERINE N. PEDEN, ENGLISH TEACHER AT J.L. MANN HIGH SCHOOL IN GREENVILLE COUNTY, FOR HER COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA AND TO CONGRATULATE HER UPON BEING NAMED THE 2012-2013 J.L. MANN TEACHER OF THE YEAR.

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The Senate Resolution was adopted.

S. 1363 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE DIANE CAGLE, CHIEF MAGISTRATE OF GREENVILLE COUNTY, ON THIRTY YEARS OF DISTINGUISHED SERVICE TO THE PEOPLE OF SOUTH CAROLINA AND TO WISH HER CONTINUED SUCCESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 1364 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE FRANK SHEPPARD, CAE, OF COLUMBIA, UPON BEING CHOSEN THE 2014 ASSOCIATION EXECUTIVE OF THE YEAR BY THE SOUTH CAROLINA SOCIETY OF ASSOCIATION EXECUTIVES.

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The Senate Resolution was adopted.

S. 1365 -- Senator Scott: A SENATE RESOLUTION TO HONOR ELIZABETH SIMMONS FOR HER MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE OF SOUTH CAROLINA, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT FROM THE S.C. STATE ELECTION COMMISSION, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1366 -- Senators McElveen and Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE UNIVERSITY OF SOUTH CAROLINA SUMTER "FIRE ANTS" BASEBALL TEAM ON AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR CAPTURING THE NATIONAL JUNIOR COLLEGE ATHLETIC ASSOCIATION'S REGION 10 CHAMPIONSHIP.

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

**REPORTS OF STANDING COMMITTEE**

**Appointments Reported**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2013, and to expire May 30, 2015

Dietician, Community or Public Health:

Rebecca G. Wrenn, 2727 Preston Street, Columbia, SC 29205 *VICE* Ms. Phyllis Allen

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2013, and to expire May 30, 2015

College/University Seat:

Judy H. Thomas, 101 Laurel Circle, Fort Mill, SC 29715 *VICE* Dr. Mary Moorachian

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Appointment, Berkeley County Master-in-Equity, with term to commence November 7, 2014 and to expire November 7, 2020:

The Honorable Dale Van Slambrook, 103 Six Point Court, Goose Creek, SC 29445 VICE The Honorable Robert E. Watson

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

S. 176 -- Senator Young: A BILL TO AMEND SECTION 22‑3‑1000 OF THE 1976 CODE, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

S. 985 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 1, TITLE 6, TO ENACT THE “FAIRNESS IN LODGING ACT” SO AS TO ALLOW MUNICIPALITIES AND COUNTIES BY ORDINANCE TO IMPLEMENT ADDITIONAL ENFORCEMENT PROVISIONS FOR THE BUSINESS LICENSE TAX AND THE LOCAL ACCOMMODATIONS TAX AS THOSE PROVISIONS APPLY TO THE OWNERS OF RESIDENTIAL REAL PROPERTY WHO RENT THE PROPERTY TO TOURISTS, INCLUDING DATA SHARING WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SPECIFIC NOTICE TO PROPERTY OWNERS INCLUDED IN PROPERTY TAX BILLS, AN ADDITIONAL PENALTY THAT MAY BE IMPOSED FOR NONCOMPLIANCE AFTER THE RECEIPT OF SUCH A NOTICE, AND DIRECTIONS TO THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO IDENTIFY “RENTAL BY OWNER” WEBSITES ADVERTISING TOURISTS RENTALS AND REQUEST THEM TO POST ON THE WEBSITES A STATEMENT REGARDING THE LEGAL OBLIGATIONS OF THE OWNERS OF PROPERTY IN THIS STATE LISTED ON THE WEBSITE, TO PAY ALL APPLICABLE LOCAL AND STATE TAXES AND FEES WITH RESPECT TO SUCH RENTALS; AND TO AMEND SECTIONS 6‑1‑120, 12‑54‑240, AS AMENDED, AND 12‑4‑310, RELATING RESPECTIVELY TO THE CONFIDENTIALITY OF LOCAL AND STATE TAX DATA AND EXCEPTIONS THERETO, AND THE DUTIES OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE, SO AS TO CONFORM THEM TO THE PROVISIONS OF THIS ACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

H. 4399 -- Rep. Cobb‑Hunter: A BILL TO AMEND SECTION 61‑6‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN ALCOHOL PERMITS IN THE PROXIMITY OF SCHOOLS, PLAYGROUNDS, AND CHURCHES, SO AS TO ALLOW THE ISSUANCE OF A LICENSE FOR THE ON‑PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IF ALL PLAYGROUNDS AND CHURCHES IN THE PROXIMITY AFFIRMATIVELY STATE THAT THEY DO NOT OBJECT TO THE ISSUANCE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

H. 4550 -- Rep. Parks: A BILL TO AMEND SECTION 40‑35‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING LONG TERM HEALTH CARE ADMINISTRATORS, SO AS TO REVISE AND ADD NECESSARY DEFINITIONS; TO AMEND SECTION 40‑35‑40, RELATING TO THE LICENSURE OF LONG TERM HEALTH CARE ADMINISTRATORS, SO AS TO REVISE LICENSURE CRITERIA; AND TO AMEND SECTION 40‑35‑200, RELATING TO THE PROHIBITION AGAINST A PERSON ACTING OR SERVING IN THE CAPACITY OF A NURSING HOME ADMINISTRATOR OR RESIDENTIAL CARE FACILITY ADMINISTRATOR WITHOUT A LICENSE, SO AS TO MAKE A CONFORMING CHANGE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

H. 4673 -- Reps. Simrill, Limehouse, Sottile and Gagnon: A BILL TO AMEND SECTION 27‑3‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS REGARDING THE LIMITATION ON LIABILITY OF LANDOWNERS, SO AS TO INCLUDE RECREATIONAL NONCOMMERCIAL AIRSTRIPS AND ASSOCIATED AIRCRAFT OPERATIONS WITHIN THE DEFINITION OF “RECREATIONAL PURPOSE”.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

H. 3365 -- Reps. Govan, Jefferson, Williams, Whipper, R.L. Brown and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 12 TO CHAPTER 63, TITLE 59 SO AS TO REQUIRE THAT EACH PUBLIC SCHOOL IN THE STATE EMPLOY A LICENSED PSYCHO‑EDUCATIONAL SPECIALIST CERTIFIED IN SCHOOL PSYCHOLOGY BY THE DEPARTMENT OF EDUCATION ON A FULL‑TIME BASIS to help school personnel identify students in need of mental health counseling, promote awareness of mental health issues and the availability of treatment, screen and identify students for mental health issues, and provide appropriate mental health counseling and make referrals for appropriate social services counseling.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

H. 4543 -- Reps. Southard, R.L. Ott, Jefferson, H.A. Crawford, M.S. McLeod, Vick, Hardwick, Williams, Robinson‑Simpson, George, Daning, Munnerlyn, Long, Crosby, Felder, Gagnon, Hayes, Hixon, Howard, Norman, Stavrinakis, V.S. Moss and Knight: A BILL TO AMEND SECTION 50‑13‑640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL POSSESSION OF BLUE CATFISH, SO AS TO DECREASE THE MAXIMUM LENGTH OF A BLUE CATFISH THAT MAY BE TAKEN ON CERTAIN BODIES OF WATER, TO MAKE A TECHNICAL CHANGE, AND TO ESTABLISH THE DAILY POSSESSION LIMIT FOR BLUE CATFISH TAKEN FROM LAKE MARION AND LAKE MOULTRIE; AND TO AMEND SECTION 50‑9‑1120, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE POINT SYSTEM FOR VIOLATING CERTAIN PROVISIONS THAT REGULATE FISHING AND HUNTING, SO AS TO PROVIDE THAT TAKING OR POSSESSING MORE THAN THE LEGAL CREEL OR SIZE LIMIT OF BLUE CATFISH IS A FOURTEEN POINT VIOLATION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

H. 3021 -- Reps. Clemmons, Sellers, R.L. Brown, Putnam, Kennedy, Gilliard, Toole, Branham, Rutherford, King and Cobb‑Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO ENACT THE IRAN DIVESTMENT ACT OF 2013 AND TO PROHIBIT CERTAIN INVESTMENTS AND CONTRACTS WITH PERSONS DEEMED TO BE ENGAGING IN INVESTMENT ACTIVITIES IN IRAN.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

S. 813 -- Senators Hayes, Peeler, O’Dell, Alexander, McElveen, McGill, Pinckney, Johnson, Williams and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑11‑625 SO AS TO PROVIDE A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A PUBLIC LIBRARY AFTER HAVING BEEN WARNED BY AN EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE LIBRARY NOT TO DO SO OR WITHOUT HAVING BEEN WARNED FAILS AND REFUSES, WITHOUT GOOD CAUSE OR GOOD EXCUSE, TO LEAVE IMMEDIATELY UPON BEING ORDERED OR REQUESTED TO DO SO IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, AND TO PROVIDE THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

S. 437 -- Senators Cleary, Reese, Rankin, Campsen, Hembree, Davis, McGill, Thurmond, Campbell, Cromer and Ford: A BILL TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VALUATION AND CLASSIFICATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE THAT THE OWNER‑OCCUPANT OF RESIDENTIAL PROPERTY QUALIFIES FOR THE FOUR PERCENT ASSESSMENT RATIO ALLOWED OWNER‑OCCUPIED RESIDENTIAL PROPERTY, IF THE OWNER IS OTHERWISE QUALIFIED AND THE RESIDENCE IS NOT RENTED FOR MORE THAN ONE HUNDRED DAYS A YEAR, AND TO DELETE OTHER REFERENCES TO RENTAL OF THESE RESIDENCES; AND TO AMEND SECTION 12‑54‑240, RELATING TO DISCLOSURE OF RECORDS, REPORTS, AND RETURNS WITH THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE VERIFICATION THAT THE FEDERAL SCHEDULE E CONFORMS WITH THE SAME DOCUMENT REQUIRED BY A COUNTY ASSESSOR IS NOT PROHIBITED.

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 29, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 474 -- Senator Setzler: A BILL TO AMEND SECTION 12‑21‑2420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE ADMISSIONS LICENSE TAX, SO AS TO EXEMPT ADMISSIONS CHARGED BY THE STATE MUSEUM.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 535 -- Senators Peeler, Alexander, L. Martin, McGill, Coleman, Jackson, Campbell, Setzler, Cromer, O’Dell, Sheheen, Turner, Fair, Ford, Nicholson, Hayes and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 119, TITLE 59, ENACTING THE “CLEMSON UNIVERSITY ENTERPRISE ACT”, SO AS TO ALLOW THE BOARD OF TRUSTEES OF CLEMSON UNIVERSITY BY RESOLUTION TO ESTABLISH AN ENTERPRISE DIVISION AS PART OF CLEMSON UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF CLEMSON UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND DISPOSITION OF REAL AND PERSONAL PROPERTY WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION AND PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTIONS 8‑11‑260, 8‑17‑370, AND 11‑35‑710, ALL AS AMENDED, AND RELATING RESPECTIVELY TO EXEMPTIONS FROM STATE PERSONNEL ADMINISTRATIONS, THE STATE EMPLOYEE GRIEVANCE PROCEDURE ACT, AND THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO ADD EXEMPTIONS CONFORMING TO THE CLEMSON UNIVERSITY ENTERPRISE ACT.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 999 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑218 SO AS TO PROVIDE THAT A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHOSE DRIVER’S LICENSE EXPIRES WHILE THE MEMBER IS SERVING OUTSIDE OF THIS STATE MAY APPLY FOR AN EXTENSION THAT LASTS UNTIL NINETY DAYS AFTER THE MEMBER RETURNS TO THE STATE OR THE TIME THE MEMBER IS DISCHARGED FROM THE ARMED FORCES, WHICHEVER OCCURS FIRST, TO PROVIDE THE APPLICATION PROCESS, AND TO SPECIFY TO WHOM EXTENSION ELIGIBILITY APPLIES.

asks for a Committee of Conference, and has appointed Reps. Owens, Willis and R.L. Brown to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 999--CONFERENCE COMMITTEE APPOINTED**

S. 999 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑218 SO AS TO PROVIDE THAT A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHOSE DRIVER’S LICENSE EXPIRES WHILE THE MEMBER IS SERVING OUTSIDE OF THIS STATE MAY APPLY FOR AN EXTENSION THAT LASTS UNTIL NINETY DAYS AFTER THE MEMBER RETURNS TO THE STATE OR THE TIME THE MEMBER IS DISCHARGED FROM THE ARMED FORCES, WHICHEVER OCCURS FIRST, TO PROVIDE THE APPLICATION PROCESS, AND TO SPECIFY TO WHOM EXTENSION ELIGIBILITY APPLIES.

Whereupon, Senators ALEXANDER, GROOMS and PINCKNEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

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.

asks for a Committee of Conference, and has appointed Reps. J.R. Smith, White and Clyburn to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4560 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

asks for a Committee of Conference, and has appointed Reps. G.M. Smith, Rutherford and McCoy to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 3, 2014

Mr. President and Senators:

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

S. 825 -- Senators Alexander and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING.

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCE**

S. 1349 -- Senator McGill: A CONCURRENT RESOLUTION TO CONGRATULATE THE TOWN OF HEMINGWAY ON ITS ONE HUNDREDTH ANNIVERSARY.

Returned with concurrence.

Received as information.

S. 1351 -- Senators L. Martin, 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, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND JEFFREY B. “JEFF” MOORE FOR HIS MANY YEARS OF OUTSTANDING SERVICE TO THE SOUTH CAROLINA SHERIFFS’ ASSOCIATION, TO CONGRATULATE HIM UPON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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

**HOUSE BILLS RETURNED**

The following House Bills were read the third time and ordered returned to the House with amendments:

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.

H. 4354 -- Reps. Harrell, Cobb‑Hunter, G.M. Smith, Long, Douglas, Felder, R.L. Brown and Goldfinch: A BILL TO AMEND SECTION 44‑115‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHT OF A PATIENT TO RECEIVE A COPY OF HIS MEDICAL RECORD OR HAVE IT TRANSFERRED TO ANOTHER PHYSICIAN, SO AS TO PROVIDE THE PATIENT MAY CHOOSE TO RECEIVE THE RECORD EITHER AS A PHOTOCOPY REPRODUCTION OR IN AN ELECTRONIC FORMAT STORED ON DIGITAL MEDIA; AND TO AMEND SECTION 44‑115‑80, RELATING TO FEES PHYSICIANS MAY CHARGE TO SEARCH AND DUPLICATE A MEDICAL RECORD, SO AS TO SPECIFY WHAT FEES MAY BE CHARGED FOR A PHOTOCOPY REPRODUCTION AND FOR AN ELECTRONIC REPRODUCTION, AND TO PROVIDE AN EXEMPTION FROM FEES FOR REPRODUCTIONS REQUESTED TO SATISFY A REQUIREMENT OF AN INSURER OR GOVERNMENTAL ENTITY THAT PROVIDES BENEFITS RELATED TO THE MEDICAL NEEDS OF THE PATIENT.

H. 3365 -- Reps. Govan, Jefferson, Williams, Whipper, R.L. Brown and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 12 TO CHAPTER 63, TITLE 59 SO AS TO REQUIRE THAT EACH PUBLIC SCHOOL IN THE STATE EMPLOY A LICENSED PSYCHO‑EDUCATIONAL SPECIALIST CERTIFIED IN SCHOOL PSYCHOLOGY BY THE DEPARTMENT OF EDUCATION ON A FULL‑TIME BASIS to help school personnel identify students in need of mental health counseling, promote awareness of mental health issues and the availability of treatment, screen and identify students for mental health issues, and provide appropriate mental health counseling and make referrals for appropriate social services counseling.

**THIRD READING BILL**

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

S. 375 -- Senators Hutto, L. Martin, Johnson and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 6 SO AS TO ENACT THE “DILAPIDATED BUILDINGS ACT”, TO PROVIDE DEFINITIONS, TO PROVIDE THAT A MUNICIPALITY MAY BRING A CAUSE OF ACTION AGAINST THE OWNER OF PROPERTY NOT IN SUBSTANTIAL COMPLIANCE WITH CERTAIN MUNICIPAL ORDINANCES, TO IDENTIFY WHO MAY SERVE AS A COURT‑APPOINTED RECEIVER FOR PROPERTY SUBJECT TO THIS CAUSE OF ACTION, TO DESIGNATE THE POWERS OF A COURT‑APPOINTED RECEIVER, TO ESTABLISH REPORTING REQUIREMENTS OF THE MUNICIPALITY CONCERNING A VIOLATION AGAINST WHICH THE MUNICIPALITY MAY BRING A CAUSE OF ACTION UNDER THIS ACT, AND TO PROVIDE CERTAIN REMEDIES AND PROCEDURES.

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 3644 -- Reps. Loftis, Gagnon, Herbkersman, Lowe, Lucas, D.C. Moss, H.L. Ott, Pitts, Toole and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13‑1‑390 SO AS TO ESTABLISH WITHIN THE DIVISION OF STATE DEVELOPMENT OF THE DEPARTMENT OF COMMERCE THE CLEAN ENERGY INDUSTRY MARKET DEVELOPMENT ADVISORY COUNCIL AND PROVIDE FOR ITS MEMBERSHIP AND FUNCTIONS; TO AMEND SECTION 12‑6‑3588, RELATING TO THE RENEWABLE ENERGY TAX CREDIT INCENTIVE PROGRAM, SO AS TO REDESIGNATE THE PROGRAM THE SOUTH CAROLINA CLEAN ENERGY TAX INCENTIVE PROGRAM, TO REVISE DEFINITIONS TO EXTEND THE CREDIT TO ADDITIONAL FORMS OF ENERGY PRODUCTION AND OPERATIONS, TO DECREASE INVESTMENT THRESHOLDS AND DECREASE JOB CREATION THRESHOLDS FOR QUALIFYING FOR THE CREDIT AND MAKE THE CREDIT, PREVIOUSLY DUE TO EXPIRE DECEMBER 31, 2015, AVAILABLE THROUGH 2019 AND TO REVISE CREDIT ADMINISTRATION PROCEDURES; AND TO AMEND SECTION 12‑6‑3600, AS AMENDED, RELATING TO THE INCOME TAX CREDIT FOR CORN‑BASED ETHANOL OR SOY‑BASED BIODIESEL PRODUCTION IN THIS STATE, SO AS TO EXTEND THE CREDIT TO ALL LIQUID FUELS DERIVED FROM RENEWABLE SOURCES, MAKE CONFORMING DEFINITIONS, REDUCE THE AMOUNT OF LIQUID FUEL ELIGIBLE FOR THE CREDIT, AND TO EXTEND THE PERIOD DURING WHICH THE CREDIT MAY BE CLAIMED THROUGH 2019.

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

**Motion Under Rule 26B**

Senator CAMPBELL asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator CAMPBELL proposed the following amendment (3644R002.PGC), which was adopted:

Amend the bill, as and if amended, page 10, line 1, by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_. A. Section 12‑10‑95 of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

“Section 12‑10‑95. (A)(1) Subject to the conditions in this section, a business engaged in manufacturing or processing operations or technology intensive activities at a manufacturing, processing, or technology intensive facility as defined in Section 12‑6‑3360(M) and that meets the requirements of Section 12‑10‑50(B)(2) may negotiate with ~~the council~~ a technical college, with approval from the State Board for Technical and Comprehensive Education, to claim as a credit against withholding ~~five hundred~~ one thousand dollars a year for the retraining of a production or technology first line employee or immediate supervisor who has been continuously employed by the business for a minimum of two years and is a full‑time employee, so long as ~~if~~ retraining is necessary for the qualifying business to remain competitive or to introduce new technologies. In addition to the yearly limits, the retraining credit claimed against withholding may not exceed ~~two~~ five thousand dollars over five consecutive years for each retrained production or technology first line employee or immediate supervisor.

(2) Retraining programs that are eligible for the credit include, but are not limited to:

(a) retraining of current employees on newly installed equipment; and

(b) retraining of current employees on newly implemented technology, such as computer platforms, software implementation and upgrades, Total Quality Management, ISO 9000, and self‑directed work teams.

Executive training, management development training, career development, personal enrichment training, and cross‑training of employees on equipment or technology that is not new to the company are not eligible for the credit.

(B) A qualifying business is eligible to claim as a retraining credit against withholding the lower amount of the following:

(1) the retraining credit for the applicable withholding period as determined by subsection (A); or

(2) withholding paid to the State for the applicable withholding period.

(C) All retraining must be approved by a technical college under the jurisdiction of the State Board for Technical and Comprehensive Education. A qualifying business must submit a retraining program for approval by the appropriate technical college. The approving technical college may provide the retraining itself, subject to the retraining program, or contract with other training entities to provide the required retraining, or supervise the employer’s approved internal training program.

(D) ~~Travel and lodging expenses and wages for retraining participants are not reimbursable.~~ An employer may not receive the credit allowed by this section if the employer requires that the employee reimburse or pay the employer for the direct costs of retraining, or if the employee is required to reimburse or pay the employer indirectly through the forfeiture of leave time, vacation time, or other compensable time. Direct costs of retraining include instructor salaries, development of retraining programs, purchase or rental of materials and supplies, textbooks and manuals, instructional media, such as video tapes, presentations, equipment used for retraining only, not to include production equipment, and reasonable travel costs as limited by the state’s travel expense reimbursement policy.

(E) The qualifying business must ~~match on a dollar‑for‑dollar basis~~ expend at least one dollar fifty cents on retraining eligible employees for every dollar ~~the amount~~ claimed as a credit against withholding for retraining. ~~When applicable, the total amount of retraining credits and matching funds must be paid to the technical college that provides the training.~~ All training costs, including costs in excess of the retraining credits and matching funds, are the responsibility of the business.

(F) ~~A qualifying business claiming retraining credits pursuant to this section is subject to the reporting and audit requirements in Section 12‑10‑80(A).~~

~~(G)~~ A qualifying business may not claim retraining credit for training provided to the following production or technology first line employees or immediate supervisors:

(a) temporary or contract employees; and

(b) employees who are subject to a revitalization agreement, including a preliminary revitalization agreement.

~~(H)~~(G) Notwithstanding another provision of this section, the retraining credit allowed by this section is for:

(1) apprenticeship programs; and

(2) retraining for all relevant employees that enable a company to export or increase its ability to export its products, including training for logistics, regulatory, and administrative areas connected to its export process and other export process training that allows a qualified company to maintain or expand its business in this State.

~~(I)~~(H) ~~The council may establish~~ There is hereby established an annual renewal fee of ~~five hundred~~ two~~-~~hundred fifty dollars to be ~~shared equally with the department for administrative, data collection, reporting, and other obligations of this chapter~~ billed and collected by the department.

(I)(1) All approved programs and training must be reviewed annually by the State Board for Technical and Comprehensive Education.

(2) Every three years, the Department of Revenue must audit any business that claimed the job retraining credit pursuant to this section during that time period, solely for the purpose of verifying proper sources and uses of the credits.

(J) The State Board for Technical and Comprehensive Education shall establish policies and procedures to provide the oversight and review provisions of this section. By November fifteenth of each year, the State Board for Technical and Comprehensive Education shall submit a statewide aggregated report detailing the utilization of the retraining credit pursuant to this section, as well as the board’s activities in regard to oversight, to the Governor, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, the Coordinating Council for Economic Development, and the Department of Revenue. Also, the board shall make the report available in a conspicuous place on the website maintained by the board.”

B. Section 12‑10‑105 of the 1976 Code, as last amended by Act 145 of 2005, is further amended to read:

“Section 12‑10‑105. In addition to the application fee provided in Section 12‑10‑100, an additional annual fee of one thousand dollars must be remitted by those qualifying businesses claiming in excess of ten thousand dollars of job development credits or in excess of ~~ten~~ forty thousand dollars in job retraining credits in one calendar year. The fee is due for each project that is subject to a revitalization ~~or retraining~~ agreement that exceeds ten thousand dollars or retraining agreement that exceeds forty thousand dollars in one calendar year and must be remitted to the Department of Revenue to be used to reimburse the department for costs incurred auditing reports required pursuant to Section 12‑10‑80(A). The fee becomes due at the time the single project’s claims for job development credits ~~or job retraining credits~~ exceeds ten thousand dollars or job retraining credits exceed forty thousand dollars for that calendar year.”

C. This SECTION takes effect upon approval by the Governor and applies to tax years beginning after December 31, 2013. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 34; Nays 7**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Malloy *Martin, Larry*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Setzler

Shealy Thurmond Turner

Williams

**Total--34**

**NAYS**

Bright Bryant Corbin

Davis *Martin, Shane* Verdin

Young

**Total--7**

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

**AMENDED, READ THE SECOND TIME**

H. 4061 -- Reps. Powers Norrell, King, Cobb‑Hunter, Douglas, Bowen, M.S. McLeod, Knight, Munnerlyn, Bernstein, Sabb, Jefferson, Williams, Neal, Gilliard, Howard, Skelton, Spires, Bowers, Anderson, G.A. Brown, Gagnon, George, Hayes, Hosey and Ridgeway: A BILL TO AMEND SECTION 59‑32‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SELECT OR DEVELOP INSTRUCTIONAL UNITS IN COMPREHENSIVE HEALTH EDUCATION FOR USE BY SCHOOL DISTRICTS, SO AS TO REQUIRE THE BOARD TO ALSO SELECT OR DEVELOP INSTRUCTIONAL UNITS IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION, WITH SEPARATE UNITS APPROPRIATE FOR EACH AGE LEVEL FROM FOUR‑YEAR OLD KINDERGARTEN THROUGH TWELFTH GRADE; AND TO AMEND SECTION 59‑32‑30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, AMONG OTHER THINGS, SO AS TO REQUIRE THE DISTRICTS TO PROVIDE AGE‑APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION AS PART OF THIS PROGRAM.

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

Senators ALEXANDER and SHEALY proposed the following amendment (4061R002.TCA), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

/ SECTION 3. Section 59‑32‑30(A) of the 1976 Code is amended by adding:

“(7) Beginning with the 2016‑2017 school year, at least one time during the four years of grades nine through twelve each student must receive instruction in cardiopulmonary resuscitation (CPR), which must include, but not be limited to, hands‑only CPR and the use of an automated external defibrillator (AED). Each school district shall use a program that incorporates the instruction of the psychomotor skills necessary to perform CPR developed by the American Heart Association, American Red Cross, or an instructional program that is nationally recognized and based on the most current national evidence‑based Emergency Cardiovascular Care guidelines for CPR and the use of an AED. It is the desire of the General Assembly that local school districts coordinate with entities that have the experience and necessary equipment for the instruction of CPR and the use of AED’s so the districts will not have to purchase CPR or AED training devices. If a school district is prepared to offer the instruction prior to the 2016‑2017 school year, the General Assembly further desires CPR and AED training begin as soon as possible. A school district must adopt a policy providing a waiver for this requirement for a student absent on the day the instruction occurred, a student with a disability whose individualized education program indicates such student is unable to complete all or a portion of the hands‑only CPR requirement, or a student whose parent or guardian completes, in writing, a form approved by the school district opting‑out of hands‑only CPR and AED instruction. The State Board of Education shall incorporate CPR and AED instruction into the South Carolina Health and Safety Education Curriculum Standards and promulgate regulations to implement this section.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

Senator HAYES proposed the following amendment (AGM\4061C002.AGM.AB14), which was adopted:

Amend the bill, as and if amended, Section 59‑32‑20(B), as contained in SECTION 1, page 2, line 3, by deleting / July / and inserting / September /.

Renumber sections to conform.

Amend title to conform.

Senator HAYES 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 42; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

There being no further amendments, the Bill was read the second time and ordered placed on the Third Reading Calendar.

**READ THE SECOND TIME**

H. 5316 -- Reps. Limehouse and Stavrinakis: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF A JOINT RESOLUTION OF 2014 BEARING RATIFICATION NUMBER 150 AND THE PROVISIONS OF SECTION 59‑1‑425, THE GOVERNING BODY OF THE CHARLESTON COUNTY SCHOOL DISTRICT MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR FIVE OR FEWER FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND SCHOOLS OR CHARTER SCHOOLS IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013‑2014 SCHOOL YEAR REGARDLESS OF WHETHER THE DISTRICT EXHAUSTS OR PLANS TO EXHAUST ALL STATUTORILY REQUIRED MAKE‑UP DAYS REMAINING ON THE 2013‑2014 SCHOOL CALENDAR.

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

Senator MASSEY spoke on the Joint Resolution.

Senator HUTTO spoke on the Joint Resolution.

Senator CAMPSEN spoke on the Joint Resolution.

Senator PINCKNEY spoke on the Joint Resolution.

On motion of Senator MALLOY, with unanimous consent, the Joint Resolution was given a second reading and ordered placed on the Third Reading Calendar.

**AMENDED, READ THE SECOND TIME**

**OBJECTION TO THIRD READING**

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.

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

Senator LARRY MARTIN proposed the following amendment (JUD4665.001), which was adopted:

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

/ SECTION 1. Article 1, Chapter 13, Title 63 of the 1976 Code is amended by adding:

"Section 63-13-185. (A) For purposes of this section, ‘medication’ means a drug that may be obtained with or without a prescription, excluding a topical ointment obtained without a prescription.

(B) It shall be unlawful for a director, owner, operator, caregiver, employee, or volunteer of a childcare facility to administer medication to a child under the care of the facility unless:

(1) the parent or guardian of the child has submitted to the childcare facility prior to the administration of the medication a signed and dated parental consent form that authorizes the facility to administer the medication to the child, and the authorization is for not longer than one year;

(2) the medication is administered as stated on the label directions, or as amended in writing by the child’s healthcare provider; and

(3) the medication is not expired.

(C) Notwithstanding subsection (B) a director, owner, operator, caretaker, employee, or volunteer of a childcare facility may administer medication to a child without a signed authorization if the parent or guardian:

(1) submits to the facility an authorization in an electronic format that is capable of being viewed and saved; or

(2) authorizes the childcare facility by telephone to administer a single dose of a medication.

(D) This section does not apply to a person who administers a medication as prescribed, directed, or intended, to a child, when that person has a good faith belief the child is suffering from a medical emergency and administering medication would prevent the death or serious injury of the child.

(E) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, may be imprisoned for up to one year or fined not more than two thousand dollars, or both.”

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

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

The amendment was adopted.

Senators SHEALY, LARRY MARTIN and TURNER proposed the following amendment (JUD4665.002), which was adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTIONS at the end to read:

/ SECTION \_\_. Section 63-13-80(A) of the 1976 Code is amended to read:

“(A) In exercising the powers of licensing, approving, renewing, revoking, or making provisional licenses and approvals, the department shall investigate and inspect licensees and approved operators and applicants for a license or an approval. The authorized representative of the department may visit a childcare center, ~~or~~ group childcare home, or family childcare home anytime during the hours of operation without prior notice once a year for purposes of investigations and inspections. In conducting investigations and inspections, the department may call on political subdivisions and governmental agencies for appropriate assistance within their authorized fields. The inspection of the health and fire safety of childcare centers and group childcare homes must be completed upon the request of the department by the appropriate agencies (i.e., Department of Health and Environmental Control, the Office of the State Fire Marshal, or local authorities). Inspection reports completed by state agencies and local authorities must be furnished to the department and become a part of its determination of conformity for licensing and approval. After careful consideration of the reports and consultation where necessary, the department shall assume responsibility for the final determination of licensing, approving, renewing, revoking, or making provisional licenses and approvals. However, upon receipt of a regulatory complaint, the department shall conduct an unannounced inspection of the facility to investigate the complaint. If the complaint is written, the department shall provide a copy to the director upon request.”

SECTION \_\_. Section 63‑13‑840 of the 1976 Code is amended to read:

“Section 63-13-840. ~~(A) The department shall visit the facility when concerns are expressed by the community regarding the health and safety of the children, child abuse, or enrollment beyond the limits set forth in this chapter.~~

~~(B) If the concern is in regard to the health and safety of the children, the department may call on other appropriate agencies (i.e., State Department of Health and Environmental Control, Office of the State Fire Marshal) as necessary to conduct an inspection.~~

~~(C)~~ If ~~the concern~~ a complaint received by the department concerning a family childcare home pursuant to Section 63‑13‑80 indicates that the child has been abused, the department shall carry out its responsibility as authorized under Chapter 7. ~~(D)~~ If the visits and inspections verify conditions detrimental to the health and safety of the children or overenrollment, the department shall carry out its responsibility as authorized by Section 63‑13‑0160 and Section 63‑13‑830(C).” /

Renumber sections to conform.

Amend title to conform.

Senator LARRY 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

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time and ordered placed on the Third Reading Calendar.

Senator CLEARY asked unanimous consent to give the Bill a third reading on Wednesday.

Senator BRIGHT objected.

**RECOMMITTED**

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.

Senator GROOMS asked unanimous consent to recommit the Bill to the Committee on Transportation.

There was no objection.

**AMENDED AND CARRIED OVER**

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.

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

Senator HUTTO proposed the following amendment (4612GOLF.CBH), which was adopted:

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

/ SECTION 1. Chapter 7, Title 56 of the 1976 Code is amended by adding:

“Section 56‑7‑11. A state statute pursuant to the provisions of this chapter preempts any local ordinance, rule, or regulation which alters, amends, or otherwise conflicts with a state statute regarding golf carts; and a political subdivision, county, or municipality may not enact or enforce any such local ordinance, rule, or regulation regarding golf carts.”

SECTION 2. Section 56‑5‑30 of the 1976 Code is amended to read:

“Section 56‑5‑30. The provisions of this chapter shall be applicable and uniform throughout this State and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any ordinance, rule, or regulation in conflict with the provisions of this chapter regarding golf carts unless expressly authorized herein. ~~Local authorities may, however, subject to the limitations prescribed in Section 56‑5‑930, adopt additional traffic regulations which are not in conflict with the provisions of this chapter.~~”

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

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**CARRIED OVER**

H. 3236 -- Reps. Sellers, J.E. Smith, W.J. McLeod, Whipper, R.L. Brown and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑185 SO AS TO ENACT THE “CERVICAL CANCER PREVENTION ACT”, TO PROVIDE THAT BEGINNING WITH THE 2013-2014 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE “CERVICAL CANCER VACCINATION SERIES”, AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

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

Senator CLEARY proposed the following amendment (3236R004.TDC), which was adopted:

Amend the committee amendment, as and if amended, by striking the committee amendment in its entirety and inserting:

/ SECTION 1. This act may be cited as the “Cervical Cancer Prevention Act”.

SECTION 2. Chapter 29, Title 44 of the 1976 Code is amended by adding:

“Section 44‑29‑185.(A)(1) Beginning with the 2014‑2015 school year, the Department of Health and Environmental Control may develop and provide to each school, whose grade levels include grade nine, informational brochures concerning adolescent vaccinations, including the cervical cancer vaccination series. The brochure specifically must state that the cervical cancer vaccination series is optional and shall inform the parent or guardian of a student that the vaccine is available at the student’s own health care provider.

(2) At the beginning of the school year each school district may provide this informational brochure to the parents or guardians of all students in the sixth grade.

(B) For the purposes of this section ‘cervical cancer vaccination series’ means the human papillomavirus vaccination series.”

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

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

The Committee on Medical Affairs proposed the following amendment (3236R001.REC), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 40 and inserting:

/ “Section 44‑29‑185. (A) Beginning with the 2014‑2015 school /

Renumber sections to conform.

Amend title to conform.

The committee amendment was adopted.

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

**OBECTION TO THE BILL**

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.

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

Senator SHANE MARTIN objected to the Bill.

**AMENDED, ADOPTED**

S. 1306 -- Senators Campbell and Grooms: A CONCURRENT RESOLUTION TO URGE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT‑IMPORT BANK FOR AN ADDITIONAL FOUR YEARS; FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of the Resolution.

Senator CAMPBELL proposed the following amendment (1306R002.PGC), which was adopted:

Amend the concurrent resolution, as and if amended, by striking the resolution in its entirety and inserting:

/ A CONCURRENT RESOLUTION

TO URGE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT IMPORT BANK FOR AN ADDITIONAL FIVE YEARS; FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

Whereas, the Export‑Import Bank of the United States (Ex‑Im) is the official export credit agency of the United States and exists for the purposes of financing and insuring foreign purchases of United States goods for customers unable or unwilling to accept credit risk; and

Whereas, the mission of the Ex‑Im is to create and sustain U.S. jobs by financing sales of U.S. exports to international buyers; and

Whereas, the Ex‑Im is the principal government agency responsible for aiding the export of American goods and services, and thereby creating and sustaining U.S. jobs, through a variety of loan, guarantee, and insurance programs for small and large businesses; and

Whereas, Ex‑Im has supported more than $400 billion in U.S. exports in the past 70 years and helps to cover critical trade finance gaps by providing loan guarantees, export credit insurance and direct loans for U.S. exports in developing markets where commercial bank financing is unavailable or insufficient. In Fiscal Year 2010, Ex‑Im supported an estimated $37 billion in export sales that sustained 227,000 U.S. jobs at more than 3,300 companies; and

Whereas, the Ex‑Im Bank is a self‑sustaining agency, which operates at no cost to the taxpayer and, in years 2012‑13, the Ex‑Im Bank has returned to the Treasury over $2.1 billion above the cost of its operations; and

Whereas Ex‑Im enables U.S. companies large and small to turn export opportunities into sales that help to maintain and create U.S. jobs and contribute to a stronger national economy. With 95% of the worlds’ consumers living outside the United States exports has become an essential necessity for American businesses and almost 90% of Ex‑Im’s transactions support U.S. small businesses; and

Whereas, exports are particularly important to the South Carolina economy as South Carolina is currently ranked 10th in export growth among all the states at an amount of 26.1 Billion dollars. If South Carolina’s manufacturing base is to grow, we must continue to expand our ability to export goods from South Carolina facilities. Given the key role the Bank plays in facilitating export sales, failure to reauthorize it would be devastating to existing industry and to those that we hope to create in the future; and

Whereas, over the past five years, Ex‑Im Bank has assisted more than 50 South Carolina companies, of which 10 companies were women or minority owned and 28 are small businesses, export their products and services around the world totaling more than $1.2 billion. Each Congressional District in South Carolina had companies benefiting from Ex‑Im loans; and

Whereas, a Reauthorization of the EX‑IM Bank is critical to the ability of many U.S. exporters to compete on a level playing field in a commercial market where current and future competitors continue to enjoy aggressive support from their countries’ export credit agencies; and

Whereas, a failure to reauthorize Ex‑Im would put billions of dollars in U. S. exports and tens of thousands of American jobs at risk. The ability to compete with other nations’ aggressive trade finance programs would be depleted. Other governments provide significantly more export credit to bolster exports than the U.S. does. In 2012, Germany and France extended roughly two and a half times as much export financing than EX‑IM. China and India provided almost three times and Korea provided ten times as much as the U.S. Foreign competitors will continue to grow at America’s expense if Congress unilaterally disarms in the face of other nations aggressive trade finance programs that favor their domestic companies over American companies;

Now therefore, be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly of the State of South Carolina, by this resolution, urge the Members of the South Carolina Congressional Delegation to support legislation Reauthorizing the Export‑Import Bank of the United States; and

Be it further resolved that the members of the General Assembly also acknowledge that economic growth depends on increasing exports from both small and large manufacturers and service providers in South Carolina; and

Be it further resolved that reauthorization means support for South Carolina exports and South Carolina jobs; and

Be it further resolved that a copy of this resolution be forwarded to the Washington, D.C. offices of each Member of Congress representing the citizens of the State of South Carolina and to President of the United States. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

The question then was adoption of the Concurrent Resolution.

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

**Ayes 28; Nays 14**

**AYES**

Alexander Allen Bennett

Campbell Cleary Coleman

Courson Gregory Grooms

Hayes Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

McElveen McGill Nicholson

O'Dell Pinckney Reese

Scott Setzler Sheheen

Williams

**Total--28**

**NAYS**

Bright Bryant Campsen

Cromer Davis Fair

Hembree *Martin, Shane* Peeler

Shealy Thurmond Turner

Verdin Young

**Total--14**

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

**CARRIED OVER**

H. 3959 -- Reps. Kennedy, Quinn, Spires, Huggins, Atwater, Bingham, Delleney, Felder, Finlay, D.C. Moss, Norman, Pope, Sellers, Simrill, Tallon, Weeks, Wood and Whipper: A BILL TO AMEND SECTION 16-15-395, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE; TO AMEND SECTION 16‑15‑405, AS AMENDED, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE AND INCREASE THE MAXIMUM PENALTY FROM TEN TO FIFTEEN YEARS; AND TO AMEND SECTION 16‑15‑410, AS AMENDED, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE THE APPEARANCE OF A MINOR IN A STATE OF SEXUALLY EXPLICIT NUDITY IN THE PURVIEW OF THE OFFENSE.

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

H. 4348 -- Reps. Lucas, Clemmons, Southard, Douglas, Allison, Taylor, Felder, Loftis, W.J. McLeod, Pitts, D.C. Moss and Bales: A BILL TO AMEND SECTION 63‑3‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF THE FAMILY COURT, INCLUDING JURISDICTION TO ORDER VISITATION FOR GRANDPARENTS OF MINOR CHILDREN, SO AS TO ELIMINATE CERTAIN PREREQUISITES TO ORDERING VISITATION.

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

H. 3014 -- Reps. J.E. Smith, Bernstein, M.S. McLeod, McEachern, Weeks, Hart and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE “VETERANS TREATMENT COURT PROGRAM ACT”, TO REQUIRE THE CREATION AND ADMINISTRATION OF A VETERANS TREATMENT COURT PROGRAM IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A VETERANS TREATMENT COURT JUDGE, AND TO PROVIDE FOR REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A VETERANS TREATMENT COURT PROGRAM.

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

H. 4020 -- Rep. Allison: A JOINT RESOLUTION TO PROVIDE THAT ACT 99 OF 1999, THE SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS ACT, IS REAUTHORIZED UNTIL JULY 1, 2014.

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

H. 4403 -- Reps. Cobb‑Hunter, Dillard, King, Knight, R.L. Brown, Atwater, Whipper, Gilliard, R.L. Ott, Jefferson and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-75 SO AS TO DECLARE JANUARY SEVENTEENTH OF EACH YEAR AS “EARTHA KITT DAY” IN SOUTH CAROLINA IN HONOR OF THE LATE EARTHA MAE KITT, NATIONALLY AND INTERNATIONALLY KNOWN ACTRESS, SINGER, AND NATIVE SOUTH CAROLINIAN AND TO PROMOTE CULTURAL TOURISM IN THE STATE IN ORDER TO ENHANCE THE ECONOMIC WELL-BEING AND IMPROVE THE QUALITY OF LIFE OF ALL SOUTH CAROLINIANS.

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

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12‑43‑225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

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

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.

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

**READ THE SECOND TIME**

H. 4840 -- Reps. Putnam, Owens, Stringer, Burns, Rivers, Bowen, Clyburn, Thayer, Wood, Wells, Dillard, Robinson‑Simpson, R.L. Brown and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT” BY ADDING SECTION 59‑43‑25 SO AS TO PROVIDE THAT BEFORE JANUARY 1, 2015, THE STATE BOARD OF EDUCATION SHALL SELECT A TEST OR TEST BATTERY THAT ELIGIBLE CANDIDATES SUCCESSFULLY MAY COMPLETE AS AN ALTERNATIVE TO THE GENERAL EDUCATION DEVELOPMENT TEST BATTERY TO RECEIVE A HIGH SCHOOL EQUIVALENCY DIPLOMA, THAT AN ESSENTIAL TRAIT OF THIS TEST OR TEST BATTERY MUST BE THAT IT ONLY MAY BE OFFERED IN A HANDWRITTEN, PAPER AND PEN OR PENCIL FORMAT AND MAY NOT BE DEPENDENT ON COMPUTER TECHNOLOGY FOR ITS ADMINISTRATION, TO REQUIRE THE BOARD SHALL AUTHORIZE THE ADMINISTRATION OF THIS TEST BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO CERTAIN REGULATIONS AND POLICIES, AND TO PROVIDE THE BOARD SHALL ISSUE HIGH SCHOOL EQUIVALENCY DIPLOMAS TO ELIGIBLE CANDIDATES WHO COMPLETE SUCCESSFULLY THE TEST OR TEST BATTERY AFTER JANUARY 1, 2015; AND TO AMEND SECTION 59‑43‑20, RELATING TO POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO BASIC ADULT AND SECONDARY EDUCATION, SO AS TO MAKE CONFORMING CHANGES.

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

Senator HAYES explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 5040 -- Reps. R.L. Brown, Knight, Hodges, Sellers, Bowers and W.J. McLeod: A BILL TO AMEND SECTION 51‑13‑1720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF REGENTS FOR THE OLD JACKSONBOROUGH HISTORIC DISTRICT AUTHORITY, SO AS TO REDUCE THE BOARD TO SEVEN MEMBERS, AND TO CHANGE THE MANNER IN WHICH TWO APPOINTMENTS ARE MADE.

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 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4864 -- Rep. Gambrell: A BILL TO AMEND SECTION 46‑21‑215, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED LABELS AND TAGS FOR CONTAINERS OF AGRICULTURAL, VEGETABLE, AND FLOWER SEEDS, SO AS TO REVISE CERTAIN OF THESE LABELING AND TAGGING REQUIREMENTS.

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

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Courson

Cromer Davis Fair

Gregory Hayes Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 5084 -- Reps. Bannister and Dillard: A JOINT RESOLUTION DIRECTING THE STATE BUDGET AND CONTROL BOARD TO TRANSFER FROM THE STATE OF SOUTH CAROLINA TO THE CITY OF GREENVILLE TWO PROPERTIES IN THE CITY OF GREENVILLE, ONE LOCATED AT THE CORNER OF NORTH CHURCH STREET AND EAST PARK AVENUE AND AN ADJACENT PROPERTY ON EAST PARK AVENUE, WHICH WERE PREVIOUSLY USED AS A STATE NATIONAL GUARD ARMORY.

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

Senator FAIR explained the Joint Resolution.

The question then was second reading of the Joint Resolution.

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

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

**Total--0**

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

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

**MOTION ADOPTED**

At 2:51 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**Expression of Personal Interest**

Senator ALEXANDER rose for an Expression of Personal Interest.

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**NONCONCURRENCE**

H. 4560 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OR EXPUNGEMENT OF CERTAIN ARREST AND BOOKING RECORDS UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE RETENTION OF EVIDENCE GATHERED, INCIDENT REPORTS, AND INVESTIGATIVE FILES PRODUCED AS A RESULT OF A LAW ENFORCEMENT ACTION, TO PROVIDE THAT THESE MATERIALS ARE NOT SUBJECT TO AN EXPUNGEMENT ORDER, AND AUTHORIZE REDACTION OF CERTAIN INFORMATION FOLLOWING A NO CONVICTION DISPOSITION OF THE CRIMINAL CHARGE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**HOUSE AMENDMENTS AMENDED**

**RETURNED TO THE HOUSE**

S. 986 -- Senators Campsen and Young: A BILL TO AMEND SECTION 50‑1‑90 OF THE 1976 CODE, RELATING TO HUNTING, FISHING, OR TRAPPING WITHOUT CONSENT ON THE LAND OF OTHERS, TO INCREASE THE PENALTIES FOR THESE OFFENSES.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator CAMSPEN explained the House amendments.

**Amendment No. RFH- 5**

Senators MALLOY and KIMPSON proposed the following amendment (JUD0986.003), which was tabled:

Amend the bill, as and if amended, page 3, by striking Section 15‑82-10 (B) in its entirety and inserting:

/ (B) A possessor of land owes no duty to a trespasser except to refrain from causing a wilful, wanton injury, or engaging in gross negligence. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MASSEY, the amendment was laid on the table.

Senator MALLOY moved to carry over the Bill.

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

**Ayes 16; Nays 24**

**AYES**

Allen Hutto Jackson

Johnson Kimpson Lourie

Malloy McElveen McGill

Nicholson Pinckney Rankin

Reese Setzler Thurmond

Williams

**Total--16**

**NAYS**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree *Martin, Larry Martin, Shane*

Massey Peeler Shealy

Turner Verdin Young

**Total--24**

The Senate refused to carry over the Bill.

**Amendment No. RFH-3**

Senators MASSEY and CAMPSEN proposed the following amendment (JUD0986.002), which was withdrawn:

Amend the bill, as and if amended, by striking SECTIONS 3 and 4 in their entirety and inserting:

/ SECTION 3. Title 15 of the 1976 Code is amended by adding:

“CHAPTER 82

Limitation on Liability of Land Possessors to Trespassers

Trespasser Responsibility Act

Section 15‑82‑10. (A) As used in this section, the terms:

(1) ‘possessor of land’ means the possessor of any fee, reversionary, or easement interest in real property, including an owner, lessee, or other lawful occupant;

(2) 'trespasser' means a person who enters or remains on the land of another without permission or without legal privilege.

(B) A possessor of land owes no duty to a trespasser except to refrain from causing a wilful or wanton injury.

(C) Notwithstanding subsection (B), a possessor of land is subject to liability for physical harm to children trespassing thereon caused by an artificial condition upon the land if:

(1) the place where the condition exists is one upon which the possessor knows or has reason to know that children are likely to trespass;

(2) the condition is one of which the possessor knows or has reason to know and which he realizes or should realize will involve an unreasonable risk of death or serious bodily harm to such children;

(3) the children because of their youth or mental capacity, do not discover the condition or realize the risk involved in intermeddling with it or in coming within the area made dangerous by it;

(4) the utility to the possessor of maintaining the condition and the burden of eliminating the danger are slight as compared with the risk to children involved; and

(5) the possessor fails to exercise reasonable care to eliminate the danger or otherwise to protect the children.

(D) This chapter does not affect any immunities from or defenses to civil liability established by another section of the South Carolina Code of Laws or available at common law to which a possessor of land may be entitled.”

SECTION 4. SECTIONS 1 and 2 take effect upon approval by the Governor. SECTION 3 takes effect upon approval by the Governor and does not affect cases filed prior to July 1, 2014. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

Senator MALLOY moved to carry over the Bill.

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

**Ayes 17; Nays 23**

**AYES**

Allen Coleman Hutto

Johnson Kimpson Leatherman

Lourie Malloy McElveen

McGill Nicholson Pinckney

Rankin Reese Setzler

Thurmond Williams

**Total--17**

**NAYS**

Bennett Bright Bryant

Campbell Campsen Cleary

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

*Martin, Larry Martin, Shane* Massey

Peeler Shealy Turner

Verdin Young

**Total--23**

The Senate refused to carry over the Bill.

Senator KIMPSON spoke on the amendment.

On motion of Senator MASSEY, Amendment No. RFH-3 was carried over and subsequently withdrawn.

**Amendment No. RFH-8**

Senator MASSEY proposed the following amendment (JUD0986.005), which was adopted:

Amend the bill, as and if amended, by striking SECTIONS 3 and 4 their entirety and inserting:

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

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question then was adoption of the amendment.

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

**Ayes 39; Nays 0**

**AYES**

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 *Martin, Larry Martin, Shane*

Massey McElveen Peeler

Pinckney Reese Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

The amendment was adopted.

There being no further amendments, the Bill was ordered returned to the House of Representatives with amendments.

**CONCURRENCE**

S. 988 -- Senator Cromer: A BILL TO AMEND SECTION 27‑2‑105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen Peeler Pinckney

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

The Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**Motion Failed**

Senator COURSON moved that the Senate stand adjourned.

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

**Ayes 19; Nays 21**

**AYES**

Allen Bryant Coleman

Corbin Courson Fair

Hutto Jackson Johnson

Kimpson Lourie Malloy

*Martin, Shane* Massey Peeler

Pinckney Reese Setzler

Williams

**Total--19**

**NAYS**

Alexander Bennett Bright

Campbell Campsen Cleary

Cromer Davis Gregory

Grooms Hayes Hembree

Leatherman *Martin, Larry* McElveen

Scott Shealy Thurmond

Turner Verdin Young

**Total--21**

The Senate refused to stand adjourned.

**LOCAL APPOINTMENTS**

**Confirmations**

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

Initial Appointment, Berkeley County Master-in-Equity, with the term to commence November 7, 2014, and to expire November 7, 2020

Dale Van Slambrook, 103 Six Point Court, Goose Creek, SC 29445 *VICE* Hon. Robert E. Watson

Initial Appointment, Berkeley County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Otis C. Prioleau, 116 Universal Circle, Alvin, SC 29479 *VICE* New Seat

Initial Appointment, Jasper County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Jacqueline S. Lee, 595 Gillison Branch Road, Garnett, SC 29922 *VICE* Judge Ashley Brown

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Deirdre L. Simmons, 825 Brickingham Way, Columbia, SC 29229 *VICE* New Seat

Initial Appointment, Williamsburg County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Curtis Keels, 52 Beaver Creek Road, Kingstree, SC 29556 *VICE* Judge William E. Ackerman (Part Time)

Initial Appointment, Williamsburg County Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Vasker C. Bartell, 711 Bartells Road, Lake City, SC 29560 *VICE* Judge William E. Ackerman (Part Time)

**Motion Adopted**

Senator COURSON moved that when the Senate adjourns today, it stand adjourned to meet at 1:00 P.M. tomorrow.

The motion was adopted.

**MOTION ADOPTED**

On motion of Senators 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, LARRY MARTIN, SHANE MARTIN, MASSEY, MATTHEWS, McELVEEN, McGILL, NICHOLSON, O’DELL, PEELER, PINCKNEY, RANKIN, REESE, SCOTT, SETZLER, SHEALY, SHEHEEN, THURMOND, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Dorothy Ella Greer Raven of Columbia, S.C. Ms. Raven was an active foster parent for dogs with Pawmetto Lifeline, contributed meals for the Ronald McDonald House, was a proud member of the Columbia DAR Chapter, volunteered at Richland Public Library with the Let’s Speak English Program and was an active participant at the Shephard Center. Dorothy was a member of Shandon Baptist Church where she worked in the nursery, was an active member of Mixed Medley Sunday School Class and a longtime volunteer for the International Ministry. She was a loving mother and doting grandmother who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Kenan Colbert Koll of Charleston, S.C. Kenan was a systems administrator and human resource assistant with William M. Bird Company. She was a volunteer at Hope Lodge and had a contagious passion for life that influenced many people. Kenan enjoyed traveling and spending time with her friends and family. She as a loving wife, devoted daughter and caring sister who will be dearly missed.

**ADJOURNMENT**

At 4:31 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 1:00 P.M.

**Recorded Vote**

Senators BRIGHT, CROMER and YOUNG desired to be recorded as voting against the motion to adjourn.

\* \* \*