**Tuesday, April 14, 2015**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

As we observe in Nehemiah,

“...the joy of the Lord is your strength.”

(Nehemiah 8:10c)

Please join me as we bow in prayer:

Gracious God, we ask that You indeed will strengthen these servants of Yours as only You can: granting them courage for the tasks ahead, giving them wisdom as they seek solutions to our state’s many needs, bestowing upon them a genuine sense of caring, and allowing them to celebrate the good that they accomplish. May each Senator and every staff member unabashedly turn to You, O God, trusting in Your love and Your grace and focusing always upon what is truly best for all South Carolinians. We humbly pray this in Your loving name, Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2015, and to expire June 30, 2019

Banking:

William O. Buyck, 20 Plantation Drive, Manning, SC 29102 *VICE* J. Neal Anderson

Referred to the Committee on Banking and Insurance.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence August 1, 2014, and to expire August 1, 2017

SC Education Oversight Committee:

Anne H. Bull, 140 Ashley Oaks Drive, Lexington, SC 29072 *VICE* Michael R. Brenan (resigned)

Referred to the Committee on Education.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2013, and to expire June 30, 2016

At-Large:

Charles R. Pate, 117 Stephens Lane, Greenville, SC 29609 *VICE* James W. Fraser (resigned)

Referred to the Committee on Education.

Reappointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2014, and to expire May 19, 2021

Berkeley County:

Peggy H. Pinnell, 1426 Dennis Boulevard, Moncks Corner, SC 29461

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2011, and to expire June 30, 2015

Master Haircare Specialist:

Edwin C. Barnes, 393 A Park Road, Lexington, SC 29072

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2015, and to expire June 30, 2019

Master Haircare Specialist:

Edwin C. Barnes, 393 A Park Road, Lexington, SC 29072

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2015, and to expire April 1, 2019

At-Large:

John P. Brogan, 279 Bamberg Drive, Bluffton, SC 29910 *VICE* Gregory J. Hart (resigned)

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2014, and to expire August 15, 2018

At-Large/Chairman:

Donald R. Tomlin, Jr., 4500 Fort Jackson Boulevard, Columbia, SC 29209 *VICE* Christopher N. Union

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2014, and to expire August 15, 2018

At-Large:

Bradley J. Allen, 6206 Lakeshore Drive, Columbia, SC 29206 *VICE* Earnest Magaro, Jr.

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2013, and to expire December 31, 2017

4th Congressional District:

Carol Ann Moody, 2317 Roper Mountain Road, Simpsonville, SC 29681

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2013, and to expire July 31, 2018

7th Congressional District:

Alison Y. Evans, 612 West Home Avenue, Hartsville, SC 29550

Referred to the Committee on Medical Affairs.

**Local Appointments**

Initial Appointment, York County Natural Gas Authority, with the term to commence March 1, 2015, and to expire March 1, 2018

York City Council:

Elizabeth S. Owens, 8 College Street, York, SC 29745 *VICE* Clyde O. Smith

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

New Seat:

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

**REGULATION RECEIVED**

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

Document No. 4552

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 1-23-10(4) and 44-1-140

SUBJECT: Horse Meat and Kangaroo Meat; Fairs, Camp Meetings, and Other Gatherings; Camps; Mobile/Manufactured Home Park; Sanitation of Schools; and Nuisances

Received by Lieutenant Governor April 8, 2015

Referred to Committee on Medical Affairs

**REGULATIONS WITHDRAWN AND RESUBMITTED**

The following were received:

Document No. 4527

Agency: Department of Consumer Affairs

Chapter: 28

Statutory Authority: 1976 Code Sections 37-7-101 et seq., Particularly Sections 37-7-112 and 37-7-121

SUBJECT: Consumer Credit Counseling Requirements

Received by Lieutenant Governor February 4, 2015

Referred to Banking and Insurance Committee

Legislative Review Expiration June 4, 2015

April 8, 2015 Withdrawn and Resubmitted

Document No. 4529

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-5-60, 59-18-310, 59-18-320, 59-18-330, 59-18-350, 59-18-360, 59-18-900, 59-20-60, and 20 U.S.C. 6301 et seq.

SUBJECT: Assessment Program

Received by Lieutenant Governor February 2, 2015

Referred to Education Committee

Legislative Review Expiration June 2, 2015

April 9, 2015 Withdrawn and Resubmitted

Document No. 4531

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-1-445, 59-1-447, and 59-5-60

SUBJECT: Test Security

Received by Lieutenant Governor February 2, 2015

Referred to Education Committee

Legislative Review Expiration June 2, 2015

April 9, 2015 Withdrawn and Resubmitted

**Doctor of the Day**

Senators TURNER and CORBIN introduced Dr. Steven Samoya Greenville, S.C., Doctor of the Day.

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator JOHNSON rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator McELVEEN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator KIMPSON rose for an Expression of Personal Interest.

**Remarks by Senator KIMPSON**

Mr. PRESIDENT, members of the Senate, what we saw flashed across the television screens around the world on Saturday, April 4, 2015, was a horrific tragedy in the State of South Carolina. I don’t believe the actions of Mr. Slager are representative of the overwhelming percentage of our law enforcement officers. In fact the overwhelming number of our law enforcement officers do the right thing. They go to work every day and put themselves in harm’s way. I had the honor, the humble honor of meeting with the Scott family -- mother, father and siblings -- children and all of the relatives the day before the funeral. I have to commend them for the courage and the patience of handling this whole ordeal.

The one thing that the Scott family said to the nation and to this State, is we must have patience so the facts and the investigation can reveal the evidence. They have definitely acted in a dignified manner. And to the young man, Mr. Santana, who was like a ram in the bush and caught the whole episode on video, he should be commended for his courage and his bravery. There have been several Bills introduced this morning -- Senator MALLOY, the Senator SCOTT, and I understand Senator SAAB is going to introduce a Bill also. I’m going to urge this Senate to listen carefully while these Bills proceed and keep an open mind as we are attempting to make sure that Mr. Scott’s legacy lives and that he did not die in vain. To the officers Slager and Habersham, the second officer on duty, who by all accounts thus far as the evidence has revealed-- the community is crying for him to be brought to justice as well. What we witnessed in this incident that but for the video evidence, the narrative of the two police officers in this case, the North Charleston case, may have not been questioned. The video, if you reconcile with the officers’ statements is totally inconsistent.

And that’s why back in December we filed a Bill for body cameras. I am pleased to say that his Bill is being supported in a bipartisan way. After Senator MALLOY and I offered the Bill, we had a number of co-sponsors, including an early co-sponsor, Senator THURMOND from Charleston and a number of other members of the democratic leadership. Now in the aftermath of the shooting, I’m very proud of this body because Senator GROOMS, Senator SHEALY and many others have joined this legislation and are serving as co-sponsors as we attempt to reform and bring the necessary change to South Carolina.

I attended a ceremony, I attended the funeral and I also attended a press conference with Senator PINCKNEY and the message is… let this death, this unfortunate tragedy be a catalyst for change. Change doesn’t have a big “D” or a big “R” in front of it, but is progressive. We can navigate this legislation in a bipartisan way. I want to commend the South Carolina Bar for issuing a statement in support of the body camera legislation. I want to commend *The State* newspaper for issuing an endorsement for the body camera legislation. We will be working tomorrow at a subcommittee hearing. This will be our 4th hearing on S. 47, and I will encourage my colleagues to come to that hearing. What we intend to do is craft language that all stakeholders’ voices that testify at this hearing to the extent possible, can be incorporated into a bipartisan Bill. We’ve gathered a lot of testimony over the last 3 meetings, and I’m optimistic and hopeful that we can get a Bill passed.

I want to close by reading some of the editorials from today’s State newspaper. The case for cameras is pretty straightforward. They would protect both the public and law enforcement by providing a clear picture of what transpires during officers’ encounters with citizens. Chances are the public and officers will maintain a higher level of civility and decorum because they know the cameras are turned on and are trained on them. Having a recording of what occurs also reduces our reliance on “he said”,“she said” reports. Opportunistic suspects will be less likely to file frivolous lawsuits and rogue police officers will be less likely to cross the line or fabricate stories to cover up transgressions. Had it not been for the bystander’s video of Mr. Scott’s tragic end, we might not have ever known that the initial officer’s account of what happened was untrue.

Lady and gentlemen of this body, the nation is watching. I hope we have the courage to move forward and do the right thing on behalf of transparency and accountability in the State of South Carolina.

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

**Expression of Personal Interest**

Senator PINCKNEY rose for an Expression of Personal Interest.

**Remarks by Senator PINCKNEY**

Mr. PRESIDENT, and members of the Senate, as I stand here today I am reminded of one of our former colleagues. Though he is small in stature, he stood tall in moments in which the soul of the State, and in particular the soul of the Senate, were called into question. He always challenged us to rise to a higher level. I am referring to the great Senator PATTERSON, who from time to time would rise and remind us of the greatness of this august body. Today the nation looks at South Carolina to see if we will rise to be the body and the State that we say that we really are. Over the past week many of us have seen on the television and read in the newspapers reports about Walter Scott, who in my words was murdered in North Charleston. It has really created a heartache and a yearning for justice. Not just a yearning in the African American community, but for all people. Not just in the Charleston area or in South Carolina, but across our country. Senator KIMPSON, Senator MALLOY, Senator THURMOND, Senator GROOMS and others are leading a bipartisan effort for us to have body cameras.

As we are in the Christian season of Easter we are reminded of the story of Jesus gathering his disciples in Galilee in the upper room. In that week following Easter, every disciple was there except for Thomas. I will offer a small recap of the story. Jesus walks through a locked door and the disciples see something that amazed them. They saw the living Jesus. They were able to see the nails in his hands and they were able to put their hand in his sides. Jesus allowed them to see this as proof, so that they would have no doubt. But one person was missing, and that was Thomas. When Thomas heard the news, he said he did not believe it. He said there was no way, it had to be impossible. He said that Jesus was dead and there was no way that he came and visited. But the next week Thomas was there. Jesus walked in, he said, “I will not believe until I see the nails. I will not believe until I can put my hand in your side”. And it was only when he was able to do that; he said, “I believe, my Lord and my God.”

Lady and gentlemen of the Senate, when we first heard on the television that a police officer had gunned down an unarmed African American in North Charleston by the name of Walter Scott, there were some who said “Wow! The national story has come home to South Carolina.” But there are many who said that there was no way that a police officer would ever shoot somebody in the back six, seven or eight times. Like Thomas, when we were able to see the video and we were able to see the gun shots, and we then saw him fall to the ground… And when we then saw the police officer come over and hand cuff him on the ground; without even trying to resuscitate him -- without even seeing if he was really alive, without calling an ambulance, without calling for help... We saw him die face down on the ground as if he were gunned down like game. I believe we all were like Thomas and said, “I believe”. What if Mr. Santiago was not there to record what happened? I’m sure that many of us would still say like Thomas, we do not believe. I believe that as a legislature -- that as a State -- we have a great opportunity to allow sunshine into this process, to at least give us new eyes for seeing so that we able to make sure that our proud and great law enforcement officers and every citizen that we represent is able to at least know that they will be seen and heard and that their rights will be protected. I have a hope and desire for South Carolina, where we have great multinational companies like Boeing which is located just a stone’s throw away from where Walter Scott died. We also have a great international airport where the ports are not far away. It is my hope as South Carolina Senators that we will stand up for what is best and good about our State and really adopt this legislation in an effort to find a way to have body cameras utilized in South Carolina. Our hearts go out to the Scott family. Our hearts go out to the Slager family because the Lord teaches us to love all. We pray that over time that justice will be done. Thank you.

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

**CO-SPONSORS ADDED**

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

S. 7 Sen. Kimpson

S. 118 Sen. Bryant

S. 243 Sen. Bryant

S. 47 Sens. Coleman, Campsen

**CO-SPONSOR REMOVED**

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

S. 27 Sen. Campsen

**RECALLED**

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD’S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT‑WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

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

The Joint Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 644 -- Senator Campsen: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE AUDREY NATION OF MOUNT PLEASANT ON RECEIVING THE 2015 ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES OF OHIO'S AWARD FOR EXCELLENCE IN THE VISUAL ARTS.

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The Senate Resolution was adopted.

S. 645 -- Senator Davis: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND JASON BOULAIS, PITCHER FOR THE UNIVERSITY OF SOUTH CAROLINA BEAUFORT BASEBALL TEAM, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 646 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE UNITED STATES ARMY'S 66TH INFANTRY DIVISION FOR THEIR DEDICATED SERVICE IN WORLD WAR II, AND TO WELCOME THEM TO CHARLESTON, SOUTH CAROLINA, FOR THEIR ANNUAL REUNION.

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The Senate Resolution was adopted.

S. 647 -- Senators Malloy, Kimpson, Johnson and Nicholson: A BILL TO AMEND SECTION 16-5-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRIMINAL OFFENSE OF HINDERING A LAW ENFORCEMENT OFFICER, SO AS TO PROVIDE THAT SUCH OFFENSE DOES NOT APPLY TO A PERSON WHO PHOTOGRAPHS OR RECORDS A LAW ENFORCEMENT OFFICER PERFORMING THE OFFICER'S OFFICIAL DUTIES WHILE THE OFFICER IS IN A PUBLIC PLACE OR THE PERSON IS IN A PLACE THE PERSON HAS THE RIGHT TO BE.

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Senator MALLOY spoke on the Bill.

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

S. 648 -- Senators McElveen and Johnson: A SENATE RESOLUTION TO RECOGNIZE THE SUMTER HIGH SCHOOL BOYS BASKETBALL TEAM FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON CAPTURING THE 2015 CLASS AAAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 649 -- Senators Malloy and Williams: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING LAW ENFORCEMENT, TO PROVIDE THAT EACH LAW ENFORCEMENT AGENCY SHALL HAVE A WRITTEN POLICY REGARDING THE INVESTIGATION OF OFFICER-INVOLVED DEATHS, TO PROVIDE FOR THE CONTENTS OF THE POLICY, TO PROVIDE FOR INVESTIGATIONS, TO PROVIDE FOR REPORTS, TO PROVIDE FOR THE RELEASE OF THE REPORT IF PROSECUTION IS NOT PURSUED, TO PROVIDE FOR NOTICE OF VICTIM'S RIGHTS, AND TO DEFINE NECESSARY TERMS.

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Senator MALLOY spoke on the Bill.

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

S. 650 -- Senators Scott, Malloy, Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-90 SO AS TO GRANT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SPECIFIC AND EXCLUSIVE JURISDICTION AND AUTHORITY TO CONDUCT AN INVESTIGATION OF ALL OFFICER-INVOLVED SHOOTINGS THAT RESULT, OR COULD HAVE RESULTED, IN BODILY INJURY OR DEATH, TO ALLOW FOR AN INVESTIGATION OF AN OFFICER-INVOLVED SHOOTING TO BE COMPLETED BY A SEPARATE LAW ENFORCEMENT AGENCY IN CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROTOCOL FOR EVIDENCE COLLECTION AND PROCESSING IN CERTAIN CIRCUMSTANCES, TO GRANT AN INVESTIGATING OFFICER THE SAME AUTHORITY AS HE WOULD HAVE IN HIS HOME JURISDICTION FOR THE DURATION OF THE INVESTIGATION, TO ESTABLISH A PROCEDURE FOR THE FORWARDING OF THE EVIDENCE TO THE CIRCUIT SOLICITOR UPON COMPLETION OF THE INVESTIGATION, AND TO ESTABLISH PENALTIES FOR THE FAILURE TO COMPLETE AN INDEPENDENT INVESTIGATION PURSUANT TO THE PROVISIONS OF THIS SECTION.

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Senator SCOTT spoke on the Bill.

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

S. 651 -- Senator O'Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-3-250 SO AS TO PROVIDE THAT THE COMPTROLLER GENERAL SHALL ENTER INTO AN AGREEMENT WITH THE SECRETARY OF THE TREASURY TO PARTICIPATE IN A STATE RECIPROCAL PROGRAM FOR THE COLLECTION OF QUALIFYING DEBTS OWED TO THE STATE FROM CERTAIN FEDERAL PAYMENTS.

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

S. 652 -- Senator L. Martin: A BILL TO AMEND TITLE 34, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 45, SO AS TO AUTHORIZE FINANCIAL INSTITUTIONS THAT DO BUSINESS IN SOUTH CAROLINA TO CONDUCT SAVINGS PROMOTION CONTESTS FOR MEMBERS AND CUSTOMERS OF THE FINANCIAL INSTITUTIONS, SUBJECT TO CERTAIN REQUIREMENTS, AND TO AUTHORIZE THE APPROPRIATE FEDERAL OR STATE REGULATORY AGENCY OF EACH FINANCIAL INSTITUTION TO OVERSEE THE CONDUCT OF THE CONTESTS AND ISSUE CEASE AND DESIST ORDERS WHEN NECESSARY.

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

S. 653 -- Senator Scott: A BILL TO AMEND SECTION 38-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAYMENT OF INDIVIDUAL LIFE INSURANCE POLICY BENEFIT PROCEEDS IN A LUMP SUM, SO AS TO PROVIDE THE INTEREST PAID MUST BE PAID AT A RATE NOT LESS THAN THE CURRENT RATE INTEREST PAID ON DEATH PROCEEDS LEFT ON DEPOSIT WITH THE INSURER; AND TO AMEND SECTION 38-65-120, RELATING TO PAYMENT OF GROUP LIFE INSURANCE POLICY BENEFIT PROCEEDS IN A LUMP SUM, SO AS TO CLARIFY THE REQUIREMENTS FOR CLAIMS SUBMISSIONS, AND TO PROVIDE INTEREST PAID ON LUMP SUM PAYMENTS MUST BE PAID AT A RATE NOT LESS THAN THE CURRENT RATE OF INTEREST PAID ON DEATH PROCEEDS LEFT ON DEPOSIT WITH THE INSURER.

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

S. 654 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE ATHLETIC COMMISSION, RELATING TO PROFESSIONAL BOXING, WRESTLING, KICK BOXING, OFF THE STREET BOXING, AND MIXED MARTIAL ARTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4536, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 655 -- Senator Cromer: A CONCURRENT RESOLUTION TO PROCLAIM APRIL 18, 2015, AS "AUCTIONEERS DAY" IN SOUTH CAROLINA, AND TO RECOGNIZE THE ROLE AUCTIONEERS PLAY IN THE STATE'S ECONOMY.

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

S. 656 -- Senator Hembree: A JOINT RESOLUTION TO CREATE A "STUDY COMMITTEE ON HOMEOWNERS ASSOCIATIONS" TO REVIEW LAWS, POLICIES, PRACTICES, AND PROCEDURES FROM THIS STATE AND OTHER JURISDICTIONS REGARDING HOMEOWNERS ASSOCIATIONS, AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR SOUTH CAROLINA'S STATUTORY LAW.

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

S. 657 -- Senators Leatherman, Lourie and Kimpson: A BILL TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO THE ISSUANCE OF STATE CAPITAL IMPROVEMENT BONDS, TO AUTHORIZE ADDITIONAL PROJECTS, TO CONFORM THE AGGREGATE PRINCIPAL INDEBTEDNESS AMOUNT TO THE ADDITIONAL AMOUNTS AUTHORIZED BY THIS ACT, AND TO PROVIDE THAT THE PROVISIONS CONTAINED IN SECTION 2-7-105 OF THE 1976 CODE DO NOT APPLY TO THIS ACT.

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Senator LEATHERMAN spoke on the Bill.

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

S. 658 -- Senator Cleary: A SENATE RESOLUTION TO COMMEND AND SUPPORT TAIWAN'S DEMOCRATIC SYSTEM OF GOVERNMENT, ITS CLOSE RELATIONSHIP WITH THE UNITED STATES, AND THE NATION'S MEANINGFUL PARTICIPATION IN THE WORLD HEALTH ORGANIZATION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, AND THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, AS WELL AS OTHER INTERNATIONAL ORGANIZATIONS, AND TO EXTEND THEIR MOST SINCERE BEST WISHES FOR CONTINUED COOPERATION AND SUCCESS.

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

S. 659 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF WILLIAM L. BONNER OF DETROIT, MICHIGAN, CHIEF APOSTLE OF THE CHURCH OF OUR LORD JESUS CHRIST OF THE APOSTOLIC FAITH, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

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The Senate Resolution was adopted.

S. 660 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ROSALYNN R. HESTER, AN ACCOUNT EXECUTIVE WITH BLUECROSS BLUESHIELD OF SOUTH CAROLINA, AND TO CONGRATULATE HER FOR BEING NAMED THE FIRST AFRICAN-AMERICAN WOMAN TO CHAIR THE URBAN LEAGUE BOARD OF THE UPSTATE.

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The Senate Resolution was adopted.

S. 661 -- Senator Lourie: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. WILLIAM J. MOODY, DISTINGUISHED PROFESSOR OF MUSIC EMERITUS AT THE UNIVERSITY OF SOUTH CAROLINA AND CO-FOUNDER OF THE PALMETTO CONCERT BAND, FOR HIS MANY CONTRIBUTIONS TO THE ADVANCEMENT OF MUSIC EDUCATION AND APPRECIATION IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 211 -- Senator Campsen: A BILL TO AMEND SECTION 56‑2‑105(E) OF THE 1976 CODE, SO AS TO ALLOW POLITICAL SUBDIVISIONS TO CREATE SEPARATE GOLF CART PATHS ON STREETS AND ROADS WITHIN THE JURISDICTION OF THE POLITICAL SUBDIVISION.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 3165 -- Reps. Tallon, Cole, Allison, Forrester and G.R. Smith: 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.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3525 -- Reps. Sandifer, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 23, TITLE 58 SO AS TO PROVIDE FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES; TO AMEND SECTION 58‑4‑60, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT BORNE BY ASSESSMENTS TO TRANSPORTATION NETWORK COMPANIES IN ADDITION TO EXISTING SOURCES; AND TO AMEND SECTION 58‑23‑50, RELATING TO EXEMPTIONS FROM REGULATION OF MOTOR VEHICLE CARRIERS BY THE PUBLIC SERVICE COMMISSION, SO AS TO EXEMPT TRANSPORTATION NETWORK COMPANIES.

Ordered for consideration tomorrow.

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

**SECOND READING BILL**

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

S. 599 -- Senator O’Dell: A BILL TO AMEND ACT 1147 OF 1968, AS AMENDED, RELATING TO THE G. FRANK RUSSELL CAREER CENTER, SO AS TO RENAME THE CENTER THE G. FRANK RUSSELL TECHNOLOGY CENTER, AND TO MAKE A TECHNICAL CORRECTION REDUCING THE MEMBERSHIP OF THE TECHNOLOGY CENTER’S ADVISORY COMMITTEE FROM SEVEN MEMBERS TO SIX MEMBERS DUE TO THE DISSOLUTION OF THE GREENWOOD COUNTY BOARD OF EDUCATION PURSUANT TO ACT 175 OF 1997.

**AMENDED, READ THE THIRD TIME**

**SENT TO HOUSE**

S. 590 -- Senators L. Martin and Hutto: A BILL TO AMEND SECTIONS 56‑1‑400(B) AND 56‑5‑2941(L), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO PROVIDE THAT THE EMPLOYER’S VEHICLE WAIVER DOES NOT APPLY TO A PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF SECTION 56‑5‑2930, 56‑5‑2933, 56‑5‑2945, OR A LAW OF ANOTHER STATE THAT PROHIBITS A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, UNLESS THE PERSON’S DRIVING PRIVILEGES HAVE BEEN SUSPENDED FOR NOT LESS THAN ONE YEAR OR THE PERSON HAS HAD AN IGNITION INTERLOCK DEVICE INSTALLED FOR NOT LESS THAN ONE YEAR ON EACH OF THE MOTOR VEHICLES OWNED OR OPERATED, OR BOTH, BY THE PERSON; AND TO AMEND SECTION 29‑5‑2990(B), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE FOR A VIOLATION OF SECTION 56‑5‑2930, 56‑5‑2933, OR A LAW OF ANOTHER STATE THAT PROHIBITS A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, SO AS TO PROVIDE THAT ENTRY INTO AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM’S SERVICES, IF THE SERVICES ARE NECESSARY, IS A MANDATORY REQUIREMENT FOR THE ISSUANCE OF AN IGNITION INTERLOCK RESTRICTED LICENSE.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0590.002), which was adopted:

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

/ SECTION \_\_. Section 56‑5‑2941 of the 1976 Code is amended by adding an appropriately numbered subsection at the end to read:

“( ) This section shall apply retroactively to:

(1) any person currently serving a suspension or denial of the issuance of a license or permit due to an alcohol‑related violation; and

(2) any person declared an habitual offender pursuant to Section 56‑1‑110, if any one or more of the three accumulated violations resulting in the declaration of the person as an habitual offender is either driving under the influence pursuant to Section 56‑5‑2930 or driving with an unlawful alcohol concentration pursuant to Section 56‑5‑2933. In lieu of serving the remainder of their suspension or denial of the issuance of a license or permit, a person may enroll in the Ignition Interlock Device Program, end the suspension or denial of the issuance of a license or permit, and obtain an ignition interlock restricted license pursuant to Section 56‑1‑400. The ignition interlock device is required to be affixed to the motor vehicle equal to the length of time remaining on the person’s suspension or denial of the issuance of a license or permit. If the length of time remaining is less than the three months, the ignition interlock device is required to be affixed to the motor vehicle for three months. Once a person has enrolled in the Ignition Interlock Device Program and obtained an ignition interlock restricted license, the person is subject to Section 56‑5‑2941 and can not subsequently choose to serve the suspension.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the Bill.

The question then was third reading of the Bill, as amended.

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

**Ayes 43; Nays 0; Abstain 1**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

**Total--0**

**ABSTAIN**

Bryant

**Total--1**

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

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

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

S. 261 -- Senator Thurmond: A BILL TO AMEND SECTION 59‑111‑320 OF THE 1976 CODE, RELATING TO PERSONS AGE SIXTY AND OVER ATTENDING CLASSES AT STATE‑SUPPORTED COLLEGES, UNIVERSITIES, AND TECHNICAL SCHOOLS WITHOUT PAYMENT OF TUITION, TO DELETE THE PROVISION THAT THESE PERSONS RECEIVING COMPENSATION AS FULL‑TIME EMPLOYEES MUST PAY TUITION.

S. 480 -- Senator Davis: A BILL TO AMEND SECTION 40‑81‑20 OF THE 1976 CODE, RELATING TO DEFINITIONS CONCERNING THE STATE ATHLETICS COMMISSION, TO DEFINE “COMMISSION DESIGNEE”; TO AMEND SECTION 40‑81‑260, RELATING TO BOXING LICENSES, TO RAISE THE MAXIMUM AGE FOR APPLICANTS FROM THIRTY‑FIVE TO FORTY, TO DELETE THE REQUIREMENT THAT A SUPERMAJORITY VOTE OF THE COMMISSION IS NECESSARY TO WAIVE THE AGE REQUIREMENT, AND TO PROVIDE THAT THE COMMISSION DESIGNEE MAY WAIVE THE AGE REQUIREMENT; TO AMEND SECTION 40‑81‑265, RELATING TO TOUGHMAN CONTESTANTS AND OFF THE STREET BOXING LICENSES, TO RAISE THE MAXIMUM AGE FOR LICENSURE FROM THIRTY‑FIVE TO FORTY; TO AMEND SECTION 40‑81‑270, RELATING TO REQUIREMENTS FOR PROMOTER’S REPRESENTATIVES OF FEMALE BOXERS, TO DELETE REQUIREMENTS CONCERNING EXAMINATIONS MANDATED ANNUALLY AND BEFORE EACH CONTEST; TO AMEND SECTION 40‑81‑280, RELATING TO LICENSURE REQUIREMENTS FOR PROFESSIONAL KICKBOXERS AND MIXED MARTIAL ARTS CONTESTANTS, TO RAISE THE MAXIMUM AGE FOR APPLICANTS FROM THIRTY‑FIVE TO FORTY, TO DELETE THE REQUIREMENT THAT A SUPERMAJORITY VOTE OF THE COMMISSION IS NECESSARY TO WAIVE THE AGE REQUIREMENT, AND TO PROVIDE THAT THE COMMISSION DESIGNEE MAY WAIVE THE AGE REQUIREMENT; AND TO AMEND SECTION 40‑81‑290, RELATING TO REQUIREMENTS FOR PROMOTER’S REPRESENTATIVES OF FEMALE KICK BOXERS, TO DELETE REQUIREMENTS CONCERNING EXAMINATIONS MANDATED ANNUALLY AND BEFORE EACH CONTEST.

S. 630 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD STUDENT LOAN REPAYMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4534, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 631 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4533, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**CARRIED OVER**

S. 389 -- Senator Lourie: A BILL TO AMEND CHAPTER 37, TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA BUSINESS DEVELOPMENT CORPORATIONS, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE CORPORATIONS ARE ORGANIZED, REGULATED, AND PERMITTED TO OPERATE.

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

**LOCAL APPOINTMENTS**

**Confirmations**

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

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

New Seat:

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

Initial Appointment, York County Natural Gas Authority, with the term to commence March 1, 2015, and to expire March 1, 2018

York City Council:

Elizabeth S. Owens, 8 College Street, York, SC 29745 *VICE* Clyde O. Smith

**Motion Adopted**

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John F. Griffin of Six Mile, S.C. Mr. Griffin was a World War II Veteran and served his community as a trustee on the Pickens County School Board and as Pickens County Clerk of Court. He was a Pickens County United Way volunteer and helped organize the Six Mile Fire Department. Mr. Griffin was also a recipient of the Order of the Silver Crescent. He was a loving father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 1:28 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 2:00 P.M.

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