**Tuesday, May 12, 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:

In I Chronicles we are reminded of those:

“...expressly named to render thanks to the Lord, for his steadfast love endures forever.” (I Chronicles 16:41b)

Join me, and bow while we pray:

Holy Lord, speaking of endurance -- as the writer of I Chronicles does -- we cannot help but think of each of these Senators here at this point of this Legislative Session. How much each of them and their creative staff members have indeed endured this year, dear God and how much they still have remaining on their collective “to do” lists here in this place. By Your Spirit’s grace, O God, bless and strengthen each of these servants and allow them to use their gifts and their talents wisely and well for the benefit of everyone in South Carolina. We pray this in Your loving name, dear 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**

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2013, and to expire June 30, 2017

Banking:

Frederick R. Saunders, Jr., 1901 Kensington Street, Florence, SC 29505

Referred to the Committee on Banking and Insurance.

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2015, and to expire March 15, 2021

3rd Congressional District:

Dan L. Batson, 637 Allison Circle, Anderson, SC 29625 *VICE* Beverly R. McAdams

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina State Ethics Commission, with the term to commence May 31, 2015, and to expire May 31, 2020

James I. Warren III, 19 Parkins Glen Court, Greenville, SC 29607

Referred to the Committee on Judiciary.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence September 1, 2014, and to expire September 1, 2018

General Public:

Stephanie A. Nye, 2906 Pickett Street, Columbia, SC 29205

Referred to the Committee on Labor, Commerce and Industry.

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

At-Large:

David C. Goodall, 440 Spring Lake Road, Columbia, SC 29206

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2014, and to expire May 31, 2017

Licensed or Certified Appraiser:

Christopher D. Donato, 1220 Cadberry Court, Mt. Pleasant, SC 29464

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2015, and to expire March 20, 2019

Cosmetologist:

LaQuita W. Horton, 1210 Cheraw Road, Cassatt, SC 29032 *VICE* Cynthia T. Rodgers

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2012, and to expire September 30, 2015

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Drive, Irmo, SC 29063

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2015, and to expire September 30, 2018

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Drive, Irmo, SC 29063

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2011, and to expire March 21, 2016

3rd Congressional District:

Robert E. Hiott, 1012 Gap Hill Road, Six Mile, SC 29671 *VICE* Jane B. Jones

Referred to the Committee on Medical Affairs.

**Local Appointments**

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Tracey L. Carroll, 253 Magnolia Lake Road, Aiken, SC 29803

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Donna H. Williamson, 13 Hollow Creek Circle, Salley, SC 29137

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Carl S. Insley, Post Office Box 769, Langley, SC 29834

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Patrick D. Sullivan, 200 Main Street, Jackson, SC 29831

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Melanie J. DuBose, 121 Academy Street, Monetta, SC 29105

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

Sheridan L. Lynn, Jr., 204 Oakhurst Drive, North Augusta, SC 29860

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Sheridan L. Lynn, Jr., 204 Oakhurst Drive, North Augusta, SC 29860

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Jerry L. Mullikin, 2301 Six and Twenty Road, Pendleton, SC 29670

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

James T. Busby, Jr., 1200 Good Hope Church Road, Starr, SC 29684

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Sherry E. Mattison, 309 Oakwood Estates Drive, Anderson, SC 29621

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

William E. Gilmer, 306 Elizabeth Street, Honea Path, SC 29654

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Linda C. Dudley-Graham, Post Office Box 623, Starr, SC 29684

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Samuel M. Lollis, 116 Royal Drive, Williamston, SC 29697

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Wynee D. Eubanks, 107 Hillandale Road, Pendleton, SC 29670

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Denise M. Malone, 803 Concord Avenue, Anderson, SC 29621

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

William D. Sharp, 2404 East North Avenue, Anderson, SC 29625

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Samuel T. Tucker III, 230 Grace Lane, Piedmont, SC 29623

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ronald W. Whitman, 2601 Saxony Drive, Anderson, SC 29621

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Nancy W. Devine, 121 Wilson Road, Williamston, SC 29697

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ava B. Ayers, 14 Basilica Avenue North, Hanahan, SC 29461

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ellen L. Karesh, 105 Haleswood Circle, Goose Creek, SC 29455

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Whilden V. Baggett, 155 Decatur Drive, Summerville, SC 29483

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ervin Brown, 1133 Schurlknight Road, St. Stephen, SC 29479

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Rad S. Deaton, 1501 Snowy Egret Pointe, Hanahan, SC 29410

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Paula F. McElvogue, 105 Worlingham Court, Goose Creek, SC 29445

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

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

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Otis C. Prioleau, 116 Universal Circle, Alvin, SC 29479

Initial Appointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Doyle M. Stokes, 5812 Lakeview Drive, Hanahan, SC 29410 *VICE* New Appointment

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Leisa R. Hotchkiss, 716 Wingert Road, Greenwood, SC 29649

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Christopher R. Johnson, 230 McGhee Avenue, Greenwood, SC 29649

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Walter R. Martin, 416 Dogwood Drive, Greenwood, SC 29646

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Bartholomew S. McGuire, 105 Parkview Place, Greenwood, SC 29646

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Belinda Y. Johnson, 1703 Westbrook Drive, Greenwood, SC 29649

**Doctor of the Day**

Senator BRIGHT introduced Dr. Jonathan P. Wright of Greenville, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator MALLOY, at 1:46 P.M., Senator PINCKNEY was granted a leave of absence for the balance of the day.

**RECOMMITTED**

S. 57 -- Senators Campsen and Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑525, SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES THE AUTHORITY TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; AND TO AMEND SECTION 50‑11‑520, AS AMENDED, SECTIONS 50‑11‑530, 50‑11‑540, AND 50‑11‑544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES’ REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEYS, TO ESTABLISH “SOUTH CAROLINA YOUTH TURKEY HUNTING DAY”, TO ESTABLISH BAG LIMITS FOR THE TAKING OF MALE WILD TURKEYS, TO PROVIDE THAT THE DEPARTMENT MUST CONDUCT AN ANALYSIS OF THE STATE’S WILD TURKEY RESOURCES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY WHICH RECOMMENDS CHANGES TO THE WILD TURKEY SEASON AND BAG LIMITS, TO REVISE THE DEPARTMENT’S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, AND TO ALLOW IT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE HUNTING OF WILD TURKEY, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL.

On motion of Senator CAMPSEN, the Bill was recommitted to the Committee on Fish, Game and Forestry.

S. 629 -- Senator Hayes: A BILL TO AMEND SECTION 59‑1‑425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATE THAT SCHOOL DAYS MISSED DUE TO WEATHER CONDITIONS OR OTHER DISRUPTIONS BE MADE UP, SO AS TO PROVIDE A LOCAL SCHOOL BOARD MAY WAIVE UP TO THREE SUCH MISSED DAYS, TO PROVIDE THIS WAIVER ONLY MAY BE GRANTED BY MAJORITY VOTE OF THE LOCAL SCHOOL BOARD, TO PROVIDE THE STATE BOARD OF EDUCATION MAY WAIVE THREE OR FEWER SUCH MISSED DAYS IN ADDITION TO THOSE WAIVED BY THE LOCAL SCHOOL BOARD, AND TO PROVIDE THESE WAIVERS ONLY MAY BE GRANTED BY MAJORITY VOTE OF THE LOCAL SCHOOL BOARD AND ONLY MAY BE GRANTED AT THE REQUEST OF THE LOCAL SCHOOL BOARD.

On motion of Senator HAYES, the Bill was recommitted to the Committee on Education.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 756 -- Senator Kimpson: A SENATE RESOLUTION TO COMMEND MORRIS STREET BAPTIST CHURCH IN CHARLESTON FOR ONE HUNDRED FIFTY YEARS OF SERVICE TO THE COMMUNITY AND TO EXTEND WARMEST CONGRATULATIONS ON THE OCCASION OF THE CHURCH'S ONE HUNDRED FIFTIETH ANNIVERSARY.

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The Senate Resolution was adopted.

S. 757 -- Senator Nicholson: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

S. 758 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 FROM ITS SOUTHEASTERN INTERSECTION WITH THE BOWMAN TOWN LIMITS TO ITS INTERSECTION WITH THE ORANGEBURG/DORCHESTER COUNTY LINE THE "HONORABLE FRED C. MACK MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

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

S. 759 -- Senators McElveen, Sabb, Johnson and Coleman: A BILL TO AMEND SECTIONS 57-1-310, 57-1-320, 57-1-325, AND 57-1-330, ALL AS AMENDED, SECTIONS 57-1-730 AND 57-1-740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, THE BOUNDARIES OF ITS MEMBERS' DISTRICTS, ITS MEMBERS' TERMS OF SERVICE, THE ELECTION OF ITS MEMBERS, AND THE POWERS AND DUTIES OF THE COMMISSION, SO AS TO PROVIDE THAT THE REGIONAL COUNCILS OF GOVERNMENT CONSTITUTE THE DEPARTMENT OF TRANSPORTATION DISTRICTS, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION DISTRICT DELEGATIONS SHALL ELECT THE MEMBERS OF THE COMMISSION, TO PROVIDE THAT NO COUNTY WITHIN A DEPARTMENT OF TRANSPORTATION DISTRICT SHALL HAVE A RESIDENT COMMISSIONER FOR MORE THAN TWO CONSECUTIVE TERMS, AND TO PROVIDE THAT VOTING FOR A COMMISSION SHALL BE BASED ON WEIGHTED VOTING THAT IS PROPORTIONAL TO THE TRANSPORTATION DISTRICT'S TOTAL POPULATION IN RELATION TO THE POPULATION OF THE DISTRICT REPRESENTED BY A MEMBER OF THE GENERAL ASSEMBLY.

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

S. 760 -- Senators L. Martin, Malloy, Campsen, Peeler, Alexander, Hayes and Scott: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 27, 2015, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, CHIEF JUSTICE, UPON HER RETIREMENT ON OR BEFORE DECEMBER 31, 2015, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2019, TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2019, AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY, SIXTH CONGRESSIONAL DISTRICT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016, AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2021, AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE OLD EXCHANGE BUILDING COMMISSION, WHOSE TERM WILL EXPIRE JUNE 30, 2021, AND FOR THE PURPOSE OF ELECTING THREE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2019, AND FOR THE PURPOSE OF ELECTING THREE MEMBERS TO FILL VACANCIES OR EXPIRED TERMS ON THE LEGISLATIVE AUDIT COUNCIL PURSUANT TO SECTION 2-15-10 FROM AMONG THE CANDIDATES NOMINATED BY THE LEGISLATIVE AUDIT COUNCIL NOMINATING COMMITTEE PURSUANT TO SECTION 2-15-209.

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

S. 761 -- Senator Campsen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE WANDO HIGH SCHOOL BOYS VARSITY LACROSSE TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE 2015 AAAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

H. 3151 -- Rep. G. R. Smith: A BILL TO AMEND SECTION 59-29-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUISITE STUDY OF THE UNITED STATES CONSTITUTION AND OTHER TEXTS REFLECTING THE HISTORY OF THE UNITED STATES IN PUBLIC HIGH SCHOOLS AND PUBLICLY-SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT PUBLIC COLLEGES AND UNIVERSITIES MAY SATISFY THE INSTRUCTIONAL COMPONENT OF THIS REQUIREMENT BY PROVIDING AND ASSIGNING CERTAIN RELATED READING; TO AMEND SECTION 59-29-130, RELATING TO THE REQUIREMENT THAT THESE SUBJECTS BE GIVEN FOR AT LEAST ONE YEAR, SO AS TO REVISE THE REQUIREMENT FOR COLLEGES AND UNIVERSITIES; AND TO AMEND SECTION 59-29-140, RELATING TO THE ROLE OF THE STATE SUPERINTENDENT OF EDUCATION TO ENFORCE THESE STUDY REQUIREMENTS AND PRESCRIBE SUITABLE TEXTS, SO AS TO TRANSFER THESE FUNCTIONS, WITH RESPECT TO COLLEGES AND UNIVERSITIES, TO THE COMMISSION OF HIGHER EDUCATION.

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

H. 4076 -- Reps. Pitts and Willis: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS, TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LAURENS COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO MAKE TECHNICAL CORRECTIONS.

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

H. 4079 -- Reps. Pitts and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICTS 55 AND 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF LAURENS COUNTY SCHOOL DISTRICT 55 MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

H. 4106 -- Reps. Long, Lucas, Norrell and Yow: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO DELETE TWO PRECINCTS, ADD NINE PRECINCTS, AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

H. 4119 -- Reps. Horne, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA'S YOUNG PEOPLE AND ITS DEDICATION TO THE PREVENTION OF TEEN PREGNANCY, AND TO DECLARE THE MONTH OF MAY 2015, AS "TEEN PREGNANCY PREVENTION MONTH" IN THE STATE OF SOUTH CAROLINA.

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

H. 4135 -- Reps. Bedingfield, Hamilton, G. R. Smith, Burns, Allison, Willis, Putnam, Bannister, Chumley, Dillard, Henderson, Loftis, Nanney and Stringer: A BILL TO AMEND ARTICLE 18, CHAPTER 53, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REVISE THE MANNER IN WHICH MEMBERS OF THE BOARD ARE SELECTED, TO REVISE THE TERMS OF OFFICE OF MEMBERS OF THE BOARD, AND TO REVISE OR PROVIDE FOR OTHER PROVISIONS RELATING TO THE SELECTION OF BOARD MEMBERS.

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

H. 4142 -- Rep. Ballentine: A BILL TO AMEND SECTION 7-7-465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN RICHLAND COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

H. 4143 -- Reps. Hamilton, Nanney, Burns, Bannister, Henderson, Herbkersman, Loftis, G. R. Smith, Stringer and Willis: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM AND ITS BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD FROM WHICH SIX MEMBERS OF THE BOARD MUST BE APPOINTED.

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

**REPORT OF STANDING COMMITTEE**

Senator O’DELL from the General Committee polled out S. 658 favorable:

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

**Poll of the General Committee**

**Polled 17; Ayes 17; Nays 0; Not Voting 0**

**AYES**

O’Dell Sheheen Lourie

Bryant Jackson Cromer

Cleary Bright Verdin

Campbell *Martin, Shane* Shealy

Young Kimpson Johnson

McElveen Sabb

**Total--17**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., May 6, 2015

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. 11 -- Senators L. Martin, Malloy, Peeler, Courson, Campsen, Johnson, Hembree, Setzler, Coleman, Alexander, Scott and Sheheen: A BILL TO AMEND SECTION 30-4-80, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE NOTICE OF MEETINGS FOR PUBLIC BODIES, TO REQUIRE THAT A PUBLIC BODY MUST PROVIDE AN AGENDA FOR ALL REGULARLY SCHEDULED MEETINGS AND THAT ITEMS SHALL NOT BE ADDED TO THAT AGENDA LATER THAN TWENTY-FOUR HOURS BEFORE THE MEETING, EXCEPT BY A TWO-THIRDS VOTE OF THE BODY.

Very respectfully,

Speaker of the House

Received as information.

**SENATE INSISTS ON THEIR AMENDMENTS**

On motion of Senator LARRY MARTIN, the Senate insisted upon its amendments to S.11 and asked for a Committee of Conference.

**CONFERENCE COMMITTEE APPOINTED**

Whereupon, Senators GREGORY, CAMPSEN and JOHNSON were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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

**AMENDMENT WITHDRAWN**

**READ THE THIRD TIME**

S. 170 -- Senator Kimpson: A BILL TO AMEND CHAPTER 36, TITLE 12 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SALES AND USE TAX ACT, BY ADDING SECTION 12‑36‑71, TO PROVIDE THAT A RETAILER IS PRESUMED TO BE LIABLE FOR THE SALES TAX OR RESPONSIBLE FOR COLLECTING AND REMITTING THE USE TAX IF THE RETAILER ENTERS INTO AN AGREEMENT WITH A RESIDENT OF THIS STATE UNDER WHICH THE RESIDENT, FOR CONSIDERATION, REFERS POTENTIAL CUSTOMERS, WHETHER BY AN INTERNET LINK OR OTHERWISE, TO REQUIRE SUCH RETAILERS TO OBTAIN A RETAIL LICENSE AND REMIT SALES AND USE TAX ON ALL TAXABLE RETAIL SALES, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY proposed the following amendment (170R002.EB.ASM), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately lettered new subsection at the end to read:

/ ( ) All revenue generated solely from the enactment of this section shall be credited to the State Non-Federal Aid Highway Fund.” /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MASSEY, the amendment was withdrawn.

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

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

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

S. 338 -- Senators S. Martin and Bryant: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS REGARDING PRISONERS, BY ADDING SECTION 24‑13‑180 TO PROVIDE THAT ANY PUBLIC, PRIVATE, OR NONPROFIT ENTITY WHICH IS ENGAGED IN HELPING TO REHABILITATE AND REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF ITS PROGRAM PROVIDES RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITY OF THE ADDRESSES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT A PUBLIC HEARING REGARDING THE PROGRAM AND THE LOCATION OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITY WHERE THEY WILL BE LOCATED.

**READ THE SECOND TIME**

H. 3843 -- Rep. Allison: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE OFFICE OF FIRST STEPS STUDY COMMITTEE TO COMPLETE ITS REVIEW AND PRESENT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY FROM MARCH 15, 2015, AS PROVIDED IN ACT 287 OF 2014, TO JANUARY 1, 2016.

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

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

**Ayes 38; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Kimpson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

McElveen Nicholson O'Dell

Peeler Rankin Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Young

**Total--38**

**NAYS**

Bright Bryant

**Total--2**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**MINORITY REPORT REMOVED**

**COMMITTEE AMENDMENT RULED OUT OF ORDER AMENDED AND READ THE SECOND TIME**

H. 3702 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014-2015, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to a consideration of the Joint Resolution.

Senator BRYANT asked unanimous consent to remove his name from the minority report of the Joint Resolution.

There was no objection and proper notation was made on the Joint Resolution.

The Committee on Finance proposed the following amendment (3702R003.KM.HKL), which was ruled out of order:

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

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2014‑2015 the following amounts:

(1) H63 ‑ Department of Education

School Bus Lease or Purchase $ 17,000,000

(2) H63 ‑ Department of Education

Integrated Teacher Certification

and Compensation System $ 1,600,000

(3) H67 - Educational Television Commission

Capital Needs $ 2,500,000

(4) H03 - Commission on Higher Education

Out-of-State Veteran Tuition

Reimbursement-Colleges $ 7,000,000

(5) H03 - Commission on Higher Education

Technology - Public Four Year

Institutions, Two Year

Institutions and Technical

Colleges $ 3,000,000

(6) H09 ‑ The Citadel

Deas Hall and Equipment $ 1

(7) H09 ‑ The Citadel

Byrd Hall Organic Chemistry

Lab Renovation $ 1

(8) H09 - The Citadel

Maintenance: Critical Care and

Repair (1:1 Match) $ 472,142

(9) H12 - Clemson University - Education

and General Business and

Behavioral Science Building $ 1

(10) H12 - Clemson University - Education

and General Maintenance: Critical Care

and Repair (1:1 Match) $ 3,467,659

(11) H15 - University of Charleston

Stern Center Repurposing $ 1

(12) H15 - University of Charleston

Maintenance: Critical Care and

Repair (1:1 Match) $ 1,025,682

(13) H17 - Coastal Carolina University

Maintenance: Critical Care and

Repair (1:1 Match) $ 479,723

(14) H18 - Francis Marion University

Student Academic System

Computer Software $ 2,000,000

(15) H18 - Francis Marion University

Maintenance: Critical Care and

Repair (1:1 Match) $ 640,038

(16) H21 ‑ Lander University

Montessori Education Building $ 1

(17) H21 ‑ Lander University

Maintenance: Critical Care and

Repair (1:1 Match) $ 325,939

(18) H24 - South Carolina State University

Maintenance and Demolition $ 646,817

(19) H27 ‑ University of South Carolina -

Columbia Campus

Honors College Technology

Equipment $ 500,000

(20) H27 ‑ University of South Carolina -

Columbia Campus

Honors College Laboratory

Equipment $ 430,000

(21) H27 - University of South Carolina -

Columbia Campus

Old Law School Renovation $ 1

(22) H27 - University of South Carolina -

Columbia Campus

South Caroliniana Library $ 1

(23) H27 - University of South Carolina -

Columbia Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 5,626,841

(24) H29 - University of South Carolina

Aiken Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 342,807

(25) H34 - University of South Carolina

Upstate Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 476,624

(26) H36 - University of South Carolina

Beaufort Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 142,154

(27) H37 - University of South Carolina

Lancaster Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 82,478

(28) H38 - University of South Carolina

Salkehatchie Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 69,411

(29) H39 - University of South Carolina

Sumter Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 135,041

(30) H40 - University of South Carolina

Union Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 32,814

(31) H47 ‑ Winthrop University

Withers Roof $ 1

(32) H47 ‑ Winthrop University

Maintenance: Critical Care and

Repair (1:1 Match) $ 714,163

(33) H51 - Medical University of South

Carolina Children’s Hospital $ 1

(34) H51 - Medical University of South

Carolina Maintenance: Critical Care and

Repair (1:1 Match) $ 3,069,667

(35) H59 - State Board for Technical and

Comprehensive Education

ReadySC $ 4,249,000

(36) H59 ‑ State Board for Technical and

Comprehensive Education

Trident Technical College

Aeronautical Training Center $ 1

(37) H59 - State Board for Technical and

Comprehensive Education

Tri-County Technical College

Engineering and Industrial

Technology Program $ 1

(38) H59 ‑ State Board for Technical and

Comprehensive Education

Northeastern Technical College

Industrial Training Center

Renovations $ 1

(39) H59 ‑ State Board for Technical and

Comprehensive Education

York Technical College Loop

Road Construction $ 1

(40) H59 ‑ State Board for Technical and

Comprehensive Education

Horry-Georgetown Technical

College Advanced

Manufacturing Center $ 1

(41) H59 ‑ State Board for Technical and

Comprehensive Education

Piedmont Technical College

Phase III Center for Advanced

Manufacturing $ 1

(42) H59 ‑ State Board for Technical and

Comprehensive Education

Central Carolina Technical

College Kershaw Campus $ 1

(43) H59 ‑ State Board for Technical and

Comprehensive Education

Denmark Technical College

Building #200 and #300

Renovations $ 1

(44) H59 ‑ State Board for Technical and

Comprehensive Education

Technical College of the

Lowcountry New River

Campus Road Improvements $ 1

(45) H59 - State Board for Technical and

Comprehensive Education

Workforce Pathways

Instructional Materials $ 1

(46) H59 - State Board for Technical and

Comprehensive Education

Aiken Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 54,145

(47) H59 - State Board for Technical and

Comprehensive Education

Central Carolina Technical

College STEM,

Manufacturing and

Allied Health Programs

and Critical Equipment $ 39,605

(48) H59 - State Board for Technical and

Comprehensive Education

Denmark Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 25,418

(49) H59 - State Board for Technical and

Comprehensive Education

Florence-Darlington Technical

College STEM,

Manufacturing and Allied

Health Programs and

Critical Equipment $ 56,187

(50) H59 - State Board for Technical and

Comprehensive Education

Greenville Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 85,867

(51) H59 - State Board for Technical and

Comprehensive Education

Horry-Georgetown Technical

College STEM,

Manufacturing and

Allied Health Programs

and Critical Equipment $ 103,972

(52) H59 - State Board for Technical and

Comprehensive Education

Midlands Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 80,181

(53) H59 - State Board for Technical and

Comprehensive Education

Northeastern Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 113,215

(54) H59 - State Board for Technical and

Comprehensive Education

Orangeburg-Calhoun Technical

College STEM, Manufacturing

and Allied Health Programs

and Critical Equipment $ 26,329

(55) H59 - State Board for Technical and

Comprehensive Education

Piedmont Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 90,493

(56) H59 - State Board for Technical and

Comprehensive Education

Spartanburg Community College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 103,805

(57) H59 - State Board for Technical and

Comprehensive Education

Technical College of the

Lowcountry STEM,

Manufacturing and Allied

Health Programs and

Critical Equipment $ 34,240

(58) H59 - State Board for Technical and

Comprehensive Education

Tri-County Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 43,525

(59) H59 - State Board for Technical and

Comprehensive Education

Trident Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 88,933

(60) H59 - State Board for Technical and

Comprehensive Education

Williamsburg Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 12,073

(61) H59 - State Board for Technical and

Comprehensive Education

York Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 42,012

(62) J02 - Department of Health and

Human Services

Medicaid Management

Information Systems

(MMIS) Replacement $ 5,039,189

(63) J02 - Department of Health and

Human Services

Telemedicine $ 2,000,000

(64) E28 ‑ Election Commission

Presidential Preference Primaries $ 2,200,000

(65) B04 ‑ Judicial Department

Disaster Recovery Plan $ 2,500,000

(66) D10 - State Law Enforcement Division

New Laboratory Facility $ 1

(67) D10 - State Law Enforcement Division

Vehicles $ 900,000

(68) K05 ‑ Department of Public Safety

Law Enforcement Vehicles $ 1,000,000

(69) K05 - Department of Public Safety

Body Armor Replacement $ 800,000

(70) K05 ‑ Department of Public Safety

Supply Warehouse Roof

Replacement $ 250,000

(71) R44 ‑ Department of Revenue

Tax Processing System (COTS) $ 6,000,000

(72) P16 ‑ Department of Agriculture

Consumer Protection Equipment $ 1,000,000

(73) P16 ‑ Department of Agriculture

Deferred Maintenance of

Greenville/Pee Dee Farmers

Market $ 125,000

(74) P16 ‑ Department of Agriculture

Food Grade Spec Buildings $ 1,000,000

(75) P20 - Clemson University-PSA

Agriculture and Natural

Resources Field Facilities $ 1,500,000

(76) P28 - Department of Parks,

Recreation and Tourism

Welcome Center Facility

Management $ 1

(77) P28 - Department of Parks,

Recreation, and Tourism

State Aquarium Aviary Mesh

Replacement/Renovation $ 1

(78) Y14 - State Ports Authority

Georgetown Port

Maintenance Dredging $ 2,600,000

(79) U12 - Department of Transportation

Facility Maintenance and

Renovation $ 870,000

$ 84,813,211

SECTION 2. (A) Of the funds appropriated above in Section 1, item (4) to the Commission on Higher Education for Out-of-State Veteran Tuition Reimbursement ‑ Colleges, the Office of State Treasurer is directed to establish a fund, separate and distinct from the general fund and all other funds, entitled the College and University Out-of-State Veteran Tuition Differential Reimbursement Fund. Any funds appropriated in this act for this purpose must be deposited into the fund and interest accrued by the fund must remain in the fund.

(B) The purpose of the fund is to reimburse public institutions of higher learning, as defined in Section 59‑103‑5 of the 1976 Code, for revenue loss resulting from the provisions of Section 59‑112‑50(C). By March 1, 2016, a public institution of higher learning seeking a reimbursement from this fund must submit an application to the Commission on Higher Education to receive a reimbursement from the fund. The total reimbursement to a public institution may not exceed the difference between the amount the institution would have charged but for Section 59‑112‑50(C), and the amount the institution actually charged. The Commission on Higher Education may require any proof it determines necessary to verify the veracity of the application.

(C) By June 15, 2016, the Commission on Higher Education must distribute the funds to those institutions that have applied pursuant to subsection (B). In the event that the total requested and verified reimbursements exceed the amount in the fund, the distribution to each public institution shall be reduced pro rata based on the institution’s amount of verified reimbursements compared to the total amount of verified reimbursements of all institutions.

SECTION 3. Of the funds appropriated above in Section 1 to institutions of higher learning entitled “Maintenance: Critical Care and Repair (1:1 Match)”, each institution shall use the amount appropriated only for critical repair and related maintenance and/or other critical equipment and systems repair and maintenance that are necessary for the safe and efficient operation of an institution’s physical plant in its support of the institution’s educational purpose.

Funds must not be used for new construction and may only be utilized by an institution to the extent the funds are matched by the institution for necessary repair and maintenance projects generally.

Matching funds exclude supplemental, capital reserve, lottery, or non‑recurring state funds appropriated to an institution either in the current fiscal year or from a prior fiscal year for repair and maintenance or maintenance projects.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement, including the sources of funds utilized to meet this requirement.

Not later than 120 days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to the same matching requirement.

SECTION 4. Funds appropriated above in Section 1, item (79) to the Department of Transportation shall be used to fund the Orangeburg District Office Building Renovation, Clarendon County Maintenance Complex Construction, SHEP Greenville/Spartanburg Office Construction, and Lexington Maintenance Complex Construction.

SECTION 5. A. Section 3 of Act 1377 of 1968, as last amended by Act 308 of 2012, is further amended by adding item (i):

“(i) for the following specific purpose of financing capital expenditures set forth in this item totaling $236,700,000 to comprehensively enhance the state’s workforce preparedness through an allocation of $91,030,000 to the State Board for Technical and Comprehensive Education, of which $3,200,000 is for Aiken Technical College of which $1,300,000 is for advanced manufacturing and industrial equipment and $1,900,000 is for infrastructure and equipment related to STEM and allied health, $3,975,000 is for Central Carolina Technical College of which $1,900,000 is for mechatronics, welding, and industrial and academic training facilities at the Kershaw Campus, $675,000 is for the Industrial and Engineering Technology Building (#400) and $1,400,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $2,480,000 is for Denmark Technical College of which $1,600,000 is for the industrial training and workforce development buildings (#200 and #300) and $880,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $8,550,000 is for Florence-Darlington Technical College of which $6,400,000 for the academic and workforce building, $1,000,000 is for the Hartsville Campus and $1,150,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $7,000,000 is for Greenville Technical College of which $4,100,000 is for the Center for Manufacturing and Innovation building and $2,900,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $7,800,000 is for Horry-Georgetown Technical College of which $4,200,000 is for the Advanced Manufacturing Center and $3,600,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $7,900,000 is for Midlands Technical College of which $3,900,000 is for the industrial technology building, $1,500,000 is for the Lindau Engineering Technology Building, and $2,500,000 is for infrastructure and equipment related to STEM, Quick Jobs, manufacturing and allied health, $5,700,000 is for Northeastern Technical College of which $1,800,000 is for renovations and expansion of the Industrial Training Center and $3,900,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $2,750,000 is for Orangeburg-Calhoun Technical College of which $1,000,000 is for the Nursing and Health Science facility, $500,000 for technology and infrastructure systems, $500,000 for health sciences/nursing equipment and $750,000 is for technology infrastructure and systems equipment, infrastructure and equipment related to STEM, manufacturing and allied health, $4,200,000 is for Piedmont Technical College of which $3,000,000 is for the Upstate Center for Manufacturing Excellence and $1,200,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $6,800,000 is for Spartanburg Community College of which $1,400,000 is for the Composite Manufacturing Training Center, $1,750,000 is for the Central Campus Academic Center and $3,650,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $2,340,000 is for Technical College of the Lowcountry of which $1,140,000 is for road improvements at the New River Campus and $1,200,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $3,300,000 is for Tri-County Technical College of which $1,800,000 is for expansion of the Engineering and Industrial Technology Programs and $1,500,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $20,000,000 is for Trident Technical College of which $17,500,000 is for the Aeronautical Training Center and $2,500,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, $985,000 is for Williamsburg Technical College of which $565,000 is for renovations for electrical technology/MCSC labs and $420,000 is for infrastructure and equipment related to STEM, manufacturing and allied health, and $4,050,000 is for York Technical College of which $2,600,000 is for the Loop Road completion and $1,450,000 is for infrastructure and equipment related to STEM, manufacturing and allied health; $6,000,000 to the Citadel, of which $4,100,000 is for Capers Hall, $1,200,000 is for renovation of the Byrd Hall Organic Chemistry Lab, and $700,000 is for HVAC in Duckett Hall and Library; $20,000,000 to Clemson University, of which $16,850,000 is for a Business and Behavioral Science Building and $3,150,000 is for expansion of the T. Ed Garrison Arena for educational, meeting, and instructional purposes; $7,000,000 to the University of Charleston, of which $2,000,000 is for the Simons Center for the Arts and $5,000,000 for the repurposing of the Stern Center; $7,500,000 to Coastal Carolina University for the Science Complex at the College of Science; $9,000,000 to Francis Marion University for the Business/Education School Building; $6,000,000 to Lander University, of which $4,200,000 is for the student center, and $1,800,000 is for the Montessori Education Building; $5,500,000 to South Carolina State University for building repair and repurposing and for the decentralization of the boiler plant; $20,000,000 to the University of South Carolina - Columbia Campus, of which $11,000,000 is for renovation of the old law school, $6,300,000 is for the South Caroliniana Library, and $2,700,000 is for renovation of the War Memorial Building; $1,370,000 to the University of South Carolina - Aiken Campus for the Robert Bell Parkway Pedestrian Bridge; $7,500,000 to the University of South Carolina - Upstate Campus for the library; $7,500,000 to the University of South Carolina - Beaufort Campus for the Hilton Head Gateway Campus classroom building; $950,000 to the University of South Carolina - Lancaster Campus for roofs and renovations of Hubbard and Star Halls; $950,000 the University of South Carolina - Salkehatchie Campus, of which $475,000 is for the nursing high definition simulation lab and training equipment and $475,000 for campus technology infrastructure upgrades; $950,000 to the University of South Carolina - Sumter Campus for repairs for the Anderson Library and other buildings; $950,000 to the University of South Carolina - Union Campus for Central Building repairs; $9,500,000 to Winthrop University, of which $7,500,000 is for the library and $2,000,000 is for the roof at the Withers Building; $20,000,000 to the Medical University of South Carolina for the Children’s Hospital; and $15,000,000 to the Office of the Adjutant General for armory deferred maintenance.”

B. Section 4 of Act 1377 of 1968, as last amended by Act 308 of 2012, is further amended by deleting the first sentence.

C. Notwithstanding any other provision of law, the provisions contained in Section 2‑7‑105 of the 1976 Code do not apply to the provisions contained in this act.

D. Funds authorized in this SECTION 5 may not be released until January 1, 2016.

E. If the aggregate principal indebtedness on account of bonds authorized pursuant to item (i) in this SECTION is not equal to $236,700,000, then item (i) is repealed and all authority to issue bonds pursuant to provisions contained in item (i) is revoked.

F. This SECTION takes effect up the approval of the Governor.

SECTION 6. The Comptroller General shall post the appropriations contained in SECTION 1 of this joint resolution as provided in Section 11‑11‑320(D) of the 1976 Code. Unexpended funds appropriated pursuant to SECTION 1 of this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 7. Except as provided in SECTION 5, this joint resolution takes effect thirty days after the completion of the 2014‑2015 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(D)(1) of the 1976 Code. /

Renumber sections to conform.

Amend title to conform.

**Point of Order**

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

Senator SETZLER spoke on the Point of Order.

Senator MASSEY spoke on the Point of Order.

Senator HUTTO spoke on the Point of Order.

Senator CAMPSEN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

**Appeal of the Ruling by the PRESIDENT Failed**

Senator HUTTO appealed the Ruling by the PRESIDENT.

**ACTING PRESIDENT PRESIDES**

At 1:06 P.M., Senator CROMER  assumed the Chair.

The question then was, “Shall the Ruling by the PRESIDENT be overridden?”

Senator LARRY MARTIN spoke contra to overriding the Ruling by the PRESIDENT.

Senator HUTTO argued in favor of overriding the Ruling by the PRESIDENT.

Senator MASSEY spoke contra to overriding the Ruling by the PRESIDENT.

Senator CAMPSEN spoke contra to overriding the Ruling by the PRESIDENT.

Senator COURSON spoke contra to overriding the Ruling by the PRESIDENT.

Senator SHEHEEN argued in favor of overriding the Ruling by the PRESIDENT.

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

**Ayes 14; Nays 31**

**AYES**

Allen Coleman Hutto

Jackson Johnson Kimpson

Lourie Matthews Nicholson

Reese Sabb Scott

Setzler Sheheen

**Total--14**

**NAYS**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

McElveen O'Dell Peeler

Rankin Shealy Thurmond

Turner Verdin Williams

Young

**Total--31**

The Senate refused to override the Ruling by the PRESIDENT.

The amendment was ruled out of order.

Senator LEATHERMAN proposed the following amendment (3702R004.KM.HKL), which was adopted:

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

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2014‑2015 the following amounts:

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(2) H63 ‑ Department of Education

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and Compensation System $ 1,600,000

(3) H67 - Educational Television

Commission

Capital Needs $ 2,500,000

(4) H03 - Commission on Higher

Education

Out-of-State Veteran Tuition

Reimbursement-Colleges $ 7,000,000

(5) H03 - Commission on Higher Education

Technology - Public Four Year

Institutions, Two Year

Institutions and Technical

Colleges $ 3,000,000

(6) H09 ‑ The Citadel

Deas Hall and Equipment $ 1

(7) H09 ‑ The Citadel

Byrd Hall Organic Chemistry

Lab Renovation $ 1

(8) H09 - The Citadel

Maintenance: Critical Care and

Repair (1:1 Match) $ 472,142

(9) H12 - Clemson University - Education and General

Business and Behavioral

Science Building $ 1

(10) H12 - Clemson University - Education

and General Maintenance: Critical Care and

Repair (1:1 Match) $ 3,467,659

(11) H15 - University of Charleston

Stern Center Repurposing $ 1

(12) H15 - University of Charleston

Maintenance: Critical Care and

Repair (1:1 Match) $ 1,025,682

(13) H17 - Coastal Carolina University

Maintenance: Critical Care and

Repair (1:1 Match) $ 479,723

(14) H18 - Francis Marion University

Student Academic System

Computer Software $ 2,000,000

(15) H18 - Francis Marion University

Maintenance: Critical Care and

Repair (1:1 Match) $ 640,038

(16) H21 ‑ Lander University

Montessori Education Building $ 1

(17) H21 ‑ Lander University

Maintenance: Critical Care and

Repair (1:1 Match) $ 325,939

(18) H24 - South Carolina State University

Maintenance and Demolition $ 646,817

(19) H27 ‑ University of South Carolina -

Columbia Campus

Honors College Technology

Equipment $ 500,000

(20) H27 ‑ University of South Carolina -

Columbia Campus

Honors College Laboratory

Equipment $ 430,000

(21) H27 - University of South Carolina -

Columbia Campus

Old Law School Renovation $ 1

(22) H27 - University of South Carolina -

Columbia Campus

South Caroliniana Library $ 1

(23) H27 - University of South Carolina -

Columbia Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 5,626,841

(24) H29 - University of South Carolina

Aiken Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 342,807

(25) H34 - University of South Carolina

Upstate Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 476,624

(26) H36 - University of South Carolina

Beaufort Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 142,154

(27) H37 - University of South Carolina

Lancaster Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 82,478

(28) H38 - University of South Carolina

Salkehatchie Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 69,411

(29) H39 - University of South Carolina

Sumter Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 135,041

(30) H40 - University of South Carolina

Union Campus

Maintenance: Critical Care and

Repair (1:1 Match) $ 32,814

(31) H47 ‑ Winthrop University

Withers Roof $ 1

(32) H47 ‑ Winthrop University

Maintenance: Critical Care and

Repair (1:1 Match) $ 714,163

(33) H51 - Medical University of South

Carolina Children’s Hospital $ 1

(34) H51 - Medical University of South Carolina

Maintenance: Critical Care and

Repair (1:1 Match) $ 3,069,667

(35) H59 - State Board for Technical and

Comprehensive Education

ReadySC $ 4,249,000

(36) H59 ‑ State Board for Technical and

Comprehensive Education

Trident Technical College

Aeronautical Training Center $ 1

(37) H59 - State Board for Technical and

Comprehensive Education

Tri-County Technical College

Engineering and Industrial

Technology Program $ 1

(38) H59 ‑ State Board for Technical and

Comprehensive Education

Northeastern Technical College

Industrial Training Center

Renovations $ 1

(39) H59 ‑ State Board for Technical and

Comprehensive Education

York Technical College Loop

Road Construction $ 1

(40) H59 ‑ State Board for Technical and

Comprehensive Education

Horry-Georgetown Technical

College Advanced

Manufacturing Center $ 1

(41) H59 ‑ State Board for Technical and

Comprehensive Education

Piedmont Technical College

Phase III Center for Advanced

Manufacturing $ 1

(42) H59 ‑ State Board for Technical and

Comprehensive Education

Central Carolina Technical

College Kershaw Campus $ 1

(43) H59 ‑ State Board for Technical and

Comprehensive Education

Denmark Technical College

Building #200 and #300

Renovations $ 1

(44) H59 ‑ State Board for Technical and

Comprehensive Education

Technical College of the

Lowcountry New River

Campus Road Improvements $ 1

(45) H59 - State Board for Technical and

Comprehensive Education

Workforce Pathways

Instructional Materials $ 1

(46) H59 - State Board for Technical and

Comprehensive Education

Aiken Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 54,145

(47) H59 - State Board for Technical and

Comprehensive Education

Central Carolina Technical

College STEM,

Manufacturing and

Allied Health Programs

and Critical Equipment $ 39,605

(48) H59 - State Board for Technical and

Comprehensive Education

Denmark Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 25,418

(49) H59 - State Board for Technical and

Comprehensive Education

Florence-Darlington Technical

College STEM,

Manufacturing and Allied

Health Programs and

Critical Equipment $ 56,187

(50) H59 - State Board for Technical and

Comprehensive Education

Greenville Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 85,867

(51) H59 - State Board for Technical and

Comprehensive Education

Horry-Georgetown Technical

College STEM,

Manufacturing and

Allied Health Programs

and Critical Equipment $ 103,972

(52) H59 - State Board for Technical and

Comprehensive Education

Midlands Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 80,181

(53) H59 - State Board for Technical and

Comprehensive Education

Northeastern Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 113,215

(54) H59 - State Board for Technical and

Comprehensive Education

Orangeburg-Calhoun Technical

College STEM, Manufacturing

and Allied Health Programs

and Critical Equipment $ 26,329

(55) H59 - State Board for Technical and

Comprehensive Education

Piedmont Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 90,493

(56) H59 - State Board for Technical and

Comprehensive Education

Spartanburg Community College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 103,805

(57) H59 - State Board for Technical and

Comprehensive Education

Technical College of the

Lowcountry STEM,

Manufacturing and Allied

Health Programs and

Critical Equipment $ 34,240

(58) H59 - State Board for Technical and

Comprehensive Education

Tri-County Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 43,525

(59) H59 - State Board for Technical and

Comprehensive Education

Trident Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 88,933

(60) H59 - State Board for Technical and

Comprehensive Education

Williamsburg Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 12,073

(61) H59 - State Board for Technical and

Comprehensive Education

York Technical College

STEM, Manufacturing and

Allied Health Programs

and Critical Equipment $ 42,012

(62) J02 - Department of Health and

Human Services

Medicaid Management

Information Systems

(MMIS) Replacement $ 5,039,189

(63) J02 - Department of Health and

Human Services

Telemedicine $ 2,000,000

(64) E28 ‑ Election Commission

Presidential Preference Primaries $ 2,200,000

(65) B04 ‑ Judicial Department

Disaster Recovery Plan $ 2,500,000

(66) D10 - State Law Enforcement Division

New Laboratory Facility $ 1

(67) D10 - State Law Enforcement Division

Vehicles $ 900,000

(68) K05 ‑ Department of Public Safety

Law Enforcement Vehicles $ 1,000,000

(69) K05 - Department of Public Safety

Body Armor Replacement $ 800,000

(70) K05 ‑ Department of Public Safety

Supply Warehouse Roof

Replacement $ 250,000

(71) R44 ‑ Department of Revenue

Tax Processing System (COTS) $ 6,000,000

(72) P16 ‑ Department of Agriculture

Consumer Protection Equipment $ 1,000,000

(73) P16 ‑ Department of Agriculture

Deferred Maintenance of

Greenville/Pee Dee Farmers

Market $ 125,000

(74) P16 ‑ Department of Agriculture

Food Grade Spec Buildings $ 1,000,000

(75) P20 - Clemson University-PSA

Agriculture and Natural

Resources Field Facilities $ 1,500,000

(76) P28 - Department of Parks,

Recreation and Tourism

Welcome Center Facility

Management $ 1

(77) P28 - Department of Parks,

Recreation, and Tourism

State Aquarium Aviary Mesh

Replacement/Renovation $ 1

(78) Y14 - State Ports Authority

Georgetown Port

Maintenance Dredging $ 2,600,000

(79) U12 - Department of Transportation

Facility Maintenance and

Renovation $ 870,000

$ 84,813,211

SECTION 2. (A) Of the funds appropriated above in Section 1, item (4) to the Commission on Higher Education for Out-of-State Veteran Tuition Reimbursement ‑ Colleges, the Office of State Treasurer is directed to establish a fund, separate and distinct from the general fund and all other funds, entitled the College and University Out-of-State Veteran Tuition Differential Reimbursement Fund. Any funds appropriated in this act for this purpose must be deposited into the fund and interest accrued by the fund must remain in the fund.

(B) The purpose of the fund is to reimburse public institutions of higher learning, as defined in Section 59‑103‑5 of the 1976 Code, for revenue loss resulting from the provisions of Section 59‑112‑50(C). By March 1, 2016, a public institution of higher learning seeking a reimbursement from this fund must submit an application to the Commission on Higher Education to receive a reimbursement from the fund. The total reimbursement to a public institution may not exceed the difference between the amount the institution would have charged but for Section 59‑112‑50(C), and the amount the institution actually charged. The Commission on Higher Education may require any proof it determines necessary to verify the veracity of the application.

(C) By June 15, 2016, the Commission on Higher Education must distribute the funds to those institutions that have applied pursuant to subsection (B). In the event that the total requested and verified reimbursements exceed the amount in the fund, the distribution to each public institution shall be reduced pro rata based on the institution’s amount of verified reimbursements compared to the total amount of verified reimbursements of all institutions.

SECTION 3. Of the funds appropriated above in Section 1 to institutions of higher learning entitled “Maintenance: Critical Care and Repair (1:1 Match)”, each institution shall use the amount appropriated only for critical repair and related maintenance and/or other critical equipment and systems repair and maintenance that are necessary for the safe and efficient operation of an institution’s physical plant in its support of the institution’s educational purpose.

Funds must not be used for new construction and may only be utilized by an institution to the extent the funds are matched by the institution for necessary repair and maintenance projects generally.

Matching funds exclude supplemental, capital reserve, lottery, or non‑recurring state funds appropriated to an institution either in the current fiscal year or from a prior fiscal year for repair and maintenance or maintenance projects.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement, including the sources of funds utilized to meet this requirement.

Not later than 120 days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to the same matching requirement.

SECTION 4. Funds appropriated above in Section 1, item (79) to the Department of Transportation shall be used to fund the Orangeburg District Office Building Renovation, Clarendon County Maintenance Complex Construction, SHEP Greenville/Spartanburg Office Construction, and Lexington Maintenance Complex Construction.

SECTION 5. The Comptroller General shall post the appropriations contained in SECTION 1 of this joint resolution as provided in Section 11‑11‑320(D) of the 1976 Code. Unexpended funds appropriated pursuant to SECTION 1 of this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 6. This joint resolution takes effect thirty days after the completion of the 2014‑2015 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(D)(1) of the 1976 Code. /

Renumber sections to conform.

Amend title to conform.

Senator LEATHERMAN explained the amendment.

The amendment was adopted.

Senator BRIGHT proposed the following amendment (3702R006.EB.LB), which was withdrawn:

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

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2014‑2015 the following amounts:

(1) E24‑Office of the Adjutant General

Armory Deferred Maintenance $ 15,000,000;

(2) The remainder of the monies shall be distributed to the County Transportation Fund in the State Treasury and shall be apportioned according to the formula provided for in Section 12‑28‑2740 of the 1976 Code for capital expenditures related to road maintenance, road rehabilitation, and resurfacing of roads.

SECTION 2. The Comptroller General shall post the appropriations contained in SECTION 1 of this joint resolution as provided in Section 11‑11‑320(D) of the 1976 Code. Unexpended funds appropriated pursuant to SECTION 1 of this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 3. This joint resolution takes effect thirty days after the completion of the 2014‑2015 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(D)(1) of the 1976 Code. /

Renumber sections to conform.

Amend title to conform.

**Motion Under Rule 26 Waived**

Senator BRYANT asked unanimous consent to make a motion to give the Joint Resolution second reading, waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

**Recorded Vote**

Senator BRIGHT desired to be recorded as voting against the second reading of the Joint Resolution.

**READ THE SECOND TIME**

H. 3168 -- Reps. Tallon, McCoy and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 9, TITLE 25 SO AS TO ENACT THE “SOUTH CAROLINA EMERGENCY MANAGEMENT LAW ENFORCEMENT ACT”, TO DEFINE NECESSARY TERMS, AND PROVIDE QUALIFICATIONS, POWERS, DUTIES, AND LIMITATIONS OF SPECIAL LAW ENFORCEMENT OFFICERS SERVING PURSUANT TO THIS ARTICLE.

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

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

**Ayes 44; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3575 -- Reps. Jefferson, Southard, Johnson, Ott, Crosby, Dillard, Hosey, Knight, Williams, Gagnon and Gambrell: A BILL TO AMEND SECTION 44‑96‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, SO AS TO REVISE THE DEFINITION OF “SOLID WASTE” TO EXCLUDE STEEL SLAG.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (AGM\3575C001.AGM.AB15), which was adopted:

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

/ SECTION 1. Section 44‑96‑40(46) of the 1976 Code is amended to read:

“(46) ‘Solid waste’ means any garbage, refuse, or sludge from a waste treatment facility, water supply plant, or air pollution control facility and other discarded material, including solid, liquid, semi‑solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. This term does not include solid or dissolved material in domestic sewage, recovered materials, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to NPDES permits under the federal Water Pollution Control Act, as amended, or the Pollution Control Act of South Carolina, as amended, or source, special nuclear, or by‑product material as defined by the Atomic Energy Act of 1954, as amended. Also excluded from this definition are application of fertilizer and animal manure during normal agricultural operations or refuse as defined and regulated pursuant to the South Carolina Mining Act, including processed mineral waste, which will not have a significant adverse impact on the environment. For the purposes of this chapter, this term excludes steel slag that is a product of the electric arc furnace steelmaking process; provided, that such steel slag is sold and distributed in the stream of commerce for consumption, use, or further processing into another desired commodity and is managed as an item of commercial value in a controlled manner and not as a discarded material or in a manner constituting disposal.”

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

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

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

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McElveen Nicholson

O'Dell Peeler Rankin

Reese Sabb 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, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3646 -- Reps. Burns, Southard, Loftis, Ott and Dillard: A BILL TO AMEND SECTION 44‑55‑1310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING PASSIVE SOIL‑BASED ON‑SITE DISPOSAL SYSTEMS, SO AS TO ALLOW FOR NONGRAVITY‑BASED SOIL‑BASED ON‑SITE DISPOSAL SYSTEMS; TO AMEND SECTION 44‑55‑1320, RELATING TO WASTEWATER COLLECTION, TREATMENT, AND DISCHARGE, SO AS TO AUTHORIZE SINGLE OR MULTIPLE DWELLING UNITS TO USE A COMMUNITY OR COMMERCIAL PASSIVE SOIL‑BASED ON‑SITE DISPOSAL SYSTEM; TO AMEND SECTION 44‑55‑1330, RELATING TO SYSTEM INSTALLATION REQUIREMENTS, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR A PASSIVE SOIL‑BASED ON‑SITE DISPOSAL SYSTEM AND TO SET DESIGNATIONS FOR THE TRENCH BOTTOM OF A DISPOSAL SYSTEM; TO AMEND SECTION 44‑55‑1350, RELATING TO TILE FIELD PRODUCT REGULATIONS, SO AS TO ADD THE REQUIREMENTS OF SECTION 44‑55‑1310 TO REGULATIONS PROMULGATED OVER PASSIVE SOIL‑BASED ON‑SITE DISPOSAL SYSTEMS; AND TO REPEAL SECTION 44‑55‑1340 RELATING TO FINANCIAL ASSURANCE.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (AGM\3646C001.AGM.AB15), which was adopted:

Amend the bill, as and if amended, Section 44‑55‑133(A), as contained in SECTION 3, by deleting the subsection in its entirety and inserting:

/ ~~(2)~~(A) A passive soil‑based on‑site disposal system must be installed only by ~~certified~~ installation technicians ~~whom the manufacturer has submitted to the department and~~ who are licensed by the department under Regulation 61‑56.1 as an installer and certified by the manufacturer or a representative that has been duly authorized to administer licensed installer certification. ~~The manufacturer shall immediately notify the department when an installation technician’s certification has expired or has otherwise been rescinded or revoked.~~ /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The question then was 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

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen Nicholson O'Dell

Peeler Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 3748 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO PROCEDURES FOR CONTESTED CASES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4466, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Senator CLEARY explained the Joint Resolution.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

H. 3749 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HYPODERMIC DEVICES; AND DRUGS AND DEVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4468, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Senator CLEARY explained the Joint Resolution.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3847 -- Reps. G.R. Smith, Burns, Hamilton, Loftis, Robinson‑Simpson, Putnam, Allison, Bannister, Chumley, Dillard, Nanney, Stringer and Willis: A JOINT RESOLUTION TO TEMPORARILY EXEMPT APPLICANTS FOR LICENSURE AS A SPEECH‑LANGUAGE PATHOLOGIST ASSISTANT FROM THE REQUIREMENT OF HAVING A BACHELOR’S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION FOUND IN SECTION 49‑67‑220 OF THE 1976 CODE IF THE APPLICANT HOLDS A BACHELOR’S DEGREE IN SPEECH‑LANGUAGE PATHOLOGY FROM A NATIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION LIBERALLY MUST BE CONSTRUED TO EFFECTUATE THE PURPOSES OF THIS JOINT RESOLUTION AND MUST BE APPLIED RETROACTIVELY; AND TO PROVIDE FOR THE EXPIRATION OF THIS JOINT RESOLUTION ON JULY 1, 2019.

The Senate proceeded to a consideration of the Joint Resolution.

The Committee on Medical Affairs proposed the following amendment (H-3847), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking line 16 and inserting:

/ SECTION 40‑67‑220 OF THE 1976 CODE IF THE APPLICANT /

Amend further, page 2, by striking line 23 and inserting:

/ education found in Section 40‑67‑220(F) of the 1976 Code, which /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The question then was the second reading of the Joint Resolution.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 737 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO AIR POLLUTION CONTROL REGULATIONS AND STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4481, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Senator CLEARY explained the Joint Resolution.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

S. 738 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO MINIMUM STANDARDS FOR LICENSING HOSPITALS AND INSTITUTIONAL GENERAL INFIRMARIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4461, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Senator CLEARY explained the Joint Resolution.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Johnson Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

The Joint Resolution was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

S. 754 -- Senators Cleary, Rankin and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4‑23‑15 SO AS TO INCREASE THE BOUNDARIES OF THE MURRELL’S INLET‑GARDEN CITY FIRE DISTRICT.

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

Senator CLEARY explained 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

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

**Total--0**

The Bill was read the second time and ordered to a third reading.

**AMENDMENT FAILED**

**CARRIED OVER**

H. 3266 -- Reps. Hiott, Bannister, Brannon, Erickson, Henderson, Collins, Sandifer, Corley, Tallon, Taylor, Thayer, Wells, Felder, Kirby, Hixon, Hodges, Riley, Ott, Goldfinch, Hardee, Gagnon, Pitts, Finlay, Southard, D.C. Moss, Chumley, Yow, Huggins, Kennedy, Rivers and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE “TRESPASSER RESPONSIBILITY ACT” WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN proposed the following amendment (3266R001.EB.VAS), which failed:

Amend the bill, as and if amended, page 1, line 29, by inserting:

/ Section 15‑82‑5. By adopting this chapter, the General Assembly is codifying the South Carolina common law relating to landowner liability and the attractive nuisance doctrine. Specifically, a portion of the language codified in this chapter comes from the South Carolina Supreme Court case *Henson v. International Paper Company*, 374 S.C. 375, 650 S.E.2d 74 (2007). As it did in the *Henson* case, the South Carolina Supreme Court has traditionally and consistently upheld the principles the General Assembly now codifies. Because of the Court’s prior rulings on these matters and the doctrine of *stare decisis*, codification of these common law principles appears to be superfluous. In addition, there is no indication the South Carolina Supreme Court is poised to adopt the Restatement (Third) of Torts relating to landowner liability as the Supreme Court of Nevada did in *Foster v. Costco Wholesale Corp.*, 291 P.3d 150, 128 Nev. Adv. Op. 71 (2012). Despite the lack of need to codify these common law provisions, the General Assembly is within its right to do so. Accordingly, by adopting the ‘Trespasser Responsibility Act’ the General Assembly is providing direction and clarity, albeit unnecessarily, to the courts of this State on the issues of land owner liability and the doctrine of attractive nuisance./

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the Bill.

The question then was the second reading of the Bill.

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

**CARRIED OVER**

S. 165 -- Senators Hembree, Turner, Bennett and Massey: A BILL TO AMEND SECTION 1‑23‑600 OF THE 1976 CODE, RELATING TO HEARINGS AND PROCEEDINGS IN THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT A REQUEST FOR A CONTESTED CASE HEARING FOR AN AGENCY ORDER STAYS THE ORDER FOR THIRTY DAYS, PROVIDED, HOWEVER, THAT MATTERS NOT AFFECTED BY THE REQUEST MAY NOT BE STAYED BY THE FILING OF THE REQUEST, AND TO DELETE THE PROVISIONS THAT A REQUEST FOR A CONTESTED CASE HEARING FOR AN ORDER TO REVOKE OR SUSPEND A LICENSE STAYS THE REVOCATION OR SUSPENSION, AND FOR A DECISION TO RENEW A LICENSE FOR AN ONGOING ACTIVITY STAYS THE RENEWED LICENSE, AND TO PROVIDE THAT AFTER A CONTESTED CASE IS INITIATED BEFORE THE ADMINISTRATIVE LAW COURT, A PARTY MAY MOVE BEFORE THE PRESIDING ADMINISTRATIVE LAW JUDGE FOR INJUNCTIVE RELIEF PURSUANT TO APPLICABLE LAW, AND TO DELETE THE PROVISION THAT THE COURT SHALL LIFT THE STAY FOR GOOD CAUSE SHOWN OR IF NO IRREPARABLE HARM WILL OCCUR, THEN THE STAY SHALL BE LIFTED, AND TO DELETE THE REQUIREMENT THAT A HEARING MUST BE HELD WITHIN THIRTY DAYS TO LIFT THE AUTOMATIC STAY OR FOR A DETERMINATION OF THE APPLICABILITY OF THE AUTOMATIC STAY, AND TO DELETE THE REQUIREMENT THAT THE JUDGE MUST ISSUE AN ORDER NO LATER THAN FIFTEEN BUSINESS DAYS AFTER THE HEARING IS CONCLUDED, AND TO PROVIDE THAT ANY INJUNCTION ORDERED BY THE ADMINISTRATIVE LAW COURT SHALL REQUIRE THE POSTING OF A BOND OR OTHER SECURITY SUFFICIENT FOR THE COST AND EXPENSE OF THE LITIGATION AND PROJECT DELAY AS DEMONSTRATED BY AN AFFIDAVIT MADE ON A GOOD FAITH ESTIMATE OF SUCH COST AND EXPENSE.

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

S. 739 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ATHLETIC TRAINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4496, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 740 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR WASTEWATER FACILITY CONSTRUCTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4485, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 741 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING COMMUNITY RESIDENTIAL CARE FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4484, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 742 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO SHELLFISH, DESIGNATED AS REGULATION DOCUMENT NUMBER 4483, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 3914 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO PARTICLE ACCELERATORS (TITLE C), DESIGNATED AS REGULATION DOCUMENT NUMBER 4482, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 720 -- Senators Nicholson, Shealy and L. Martin: A SENATE RESOLUTION TO DECLARE THE MONTH OF MAY 2015 AS “TEEN PREGNANCY PREVENTION MONTH” THROUGHOUT THE STATE AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO WORK TOGETHER TO REDUCE AND PREVENT TEEN PREGNANCY FOR THE FUTURE SUCCESS OF OUR YOUNG PEOPLE.

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

**AMENDMENT PROPOSED**

**CARRIED OVER**

S. 505 -- Senators L. Martin, Hembree and Shealy: A BILL TO AMEND SECTION 24‑21‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24‑21‑560, AS AMENDED, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24‑21‑670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

The Senate proceeded to a consideration of the Bill.

Senators CAMPBELL and SABB proposed the following amendment (MS\505C001.MS.AHB15):

Amend the bill, as and if amended, by deleting SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 24‑21‑440 of the 1976 Code is amended to read:

“Section 24‑21‑440. (A) The period of probation or suspension of sentence shall not exceed a period of five years and must be determined by the judge of the court and may be continued or extended within the above limit. Any ordered period of probation is tolled during periods of civil commitment.

(B) Nothing in this section may be construed to limit or prohibit the modification of any condition of probation at any time in the discretion of the court as otherwise provided by law.” /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the Bill.

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

**ADOPTED**

S. 384 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG CLEVELAND STREET IN THE TOWN OF ELLOREE “DAVID EARLE POLIN BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

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

H. 3474 -- Reps. Murphy, Horne, Jefferson, Knight, Mack, Tinkler and Whipper: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 78 AND DEMING WAY IN DORCHESTER COUNTY “MAJOR ERNEST SAMUEL MOULTRIE INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

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

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

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

**MADE SPECIAL ORDER**

H. 3579 -- Reps. Simrill, White, Lucas, Allison, Henderson, Limehouse, Newton, Ott, Clary, Collins, Delleney, Forrester, Gambrell, Hardwick, Hiott, Horne, Merrill, D.C. Moss, V.S. Moss, Murphy, Pitts, Sandifer, G.M. Smith, Sottile, Spires, Wells, Whitmire, Yow, Jefferson, Erickson, Funderburk, Hosey, Hixon, Clyburn, Knight, Herbkersman, H.A. Crawford, Felder, Willis, McCoy, Bradley, Douglas, Norrell, Long, Bales, Daning, Loftis, Tallon, Anthony, Howard, Gagnon, Riley, Williams, Hayes, G.A. Brown, R.L. Brown, Hart, Weeks, Whipper, Pope, Tinkler, Hicks, Brannon, Corley, Clemmons, Johnson, George, Alexander, Anderson and Duckworth: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA INFRASTRUCTURE FINANCE REFORM AND TAX RELIEF ACT”; TO AMEND SECTIONS 57‑1‑310, 57‑1‑320, 57‑1‑325, AND 57‑1‑330, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT ALL THE COMMISSIONERS MUST BE APPOINTED BY THE GOVERNOR AND SERVE AT THE PLEASURE OF THE GOVERNOR, TO PROVIDE THAT APPOINTEES MUST BE SCREENED BY THE JOINT TRANSPORTATION REVIEW COMMITTEE, AND TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER FOR MORE THAN TWELVE YEARS AND NO COUNTY MAY HAVE A RESIDENT COMMISSIONER FOR MORE THAN TWELVE CONSECUTIVE YEARS; TO AMEND SECTION 57‑1‑410, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, INSTEAD OF THE GOVERNOR, SHALL APPOINT THE SECRETARY; TO AMEND SECTIONS 57‑1‑730 AND 57‑1‑740, AS AMENDED, RELATING RESPECTIVELY TO THE DUTIES OF THE JOINT TRANSPORTATION REVIEW COMMITTEE, BOTH SO AS TO REQUIRE THE COMMITTEE TO SCREEN APPOINTEES TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION IN A SIMILAR MANNER AS CURRENTLY ELECTED COMMISSIONERS ARE SCREENED; BY ADDING SECTION 57‑1‑95 SO AS TO PROHIBIT THE COMMENCEMENT OF ANY NEW ROAD CONSTRUCTION PROJECTS IN THIS STATE UNTIL JULY 1, 2020, AND TO PROVIDE EXCEPTIONS; TO AMEND SECTION 11‑43‑140, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO INCREASE THE BOARD TO THIRTEEN MEMBERS AND TO SET FORTH THE MEMBERSHIP, AND TO PROVIDE THAT NO MEMBER MAY SERVE MORE THAN TWELVE YEARS; TO AMEND SECTION 11‑43‑180, RELATING TO FINANCIAL ASSISTANCE GIVEN BY THE INFRASTRUCTURE BANK, SO AS TO PROHIBIT THE BANK FROM PROVIDING ANY LOANS OR OTHER FINANCIAL ASSISTANCE TO ANY PROJECT UNLESS THE ELIGIBLE COSTS OF THE PROJECT ARE AT LEAST TWENTY‑FIVE MILLION DOLLARS; BY ADDING SECTION 11‑43‑265 SO AS TO REQUIRE THE INFRASTRUCTURE BANK TO PRIORITIZE ALL PROJECTS IN ACCORDANCE WITH THE PRIORITIZATION CRITERIA ESTABLISHED IN ACT 114 OF 2007, AND TO PROVIDE AN EXCEPTION; BY ADDING SECTION 57‑1‑100 SO AS TO SET FORTH THE OPTIONAL PROCESS BY WHICH THE DEPARTMENT OF TRANSPORTATION TRANSFERS CERTAIN STATE ROADS TO THE COUNTIES OF THIS STATE, TO INCREASE THE AMOUNT DISTRIBUTED TO THE PARTICIPATING COUNTIES OVER TIME, TO PROVIDE THAT EACH PARTICIPATING COUNTY MUST RECEIVE ONE MILLION DOLLARS BEFORE THE FUNDS ARE DISTRIBUTED BASED ON A FORMULA, TO AMEND SECTION 12‑28‑2740, RELATING TO THE DISTRIBUTION OF THE GASOLINE USER FEE TO THE COUNTIES OF THIS STATE, TO ABOLISH THE CURRENT COUNTY TRANSPORTATION COMMITTEES AND THEN RECONSTITUTE THEM WITH THE ADDITION OF MUNICIPAL REPRESENTATION, AND TO SPECIFY THE MANNER IN WHICH “C” FUNDS MUST BE EXPENDED; TO AMEND SECTIONS 56‑5‑4210 AND 56‑5‑4220, BOTH RELATING TO ROAD RESTRICTIONS, SO AS TO SPECIFY CERTAIN RESTRICTIONS ON LOCALITIES; TO AMEND SECTION 12‑28‑310, RELATING TO THE USER FEE ON GASOLINE, SO AS TO REDUCE THE FEE TO TEN CENTS A GALLON; TO AMEND SECTION 56‑11‑410, RELATING TO THE ROAD TAX, SO AS TO REDUCE THE TAX TO TEN CENTS A GALLON; TO AMEND SECTION 56‑11‑450, RELATING TO THE CREDIT AGAINST ROAD TAX, SO AS TO REDUCE THE CREDIT TO TEN CENTS A GALLON; TO AMEND SECTION 12‑36‑2110, RELATING TO THE MAXIMUM TAX, SO AS TO INCREASE THE MAXIMUM TAX FROM THREE HUNDRED TO FIVE HUNDRED DOLLARS ON THE SALE OR LEASE OF A MOTOR VEHICLE; TO AMEND SECTION 12‑36‑2647, RELATING TO THE TAX REVENUES COLLECTED FROM THE SALE OR LEASE OF A MOTOR VEHICLE, SO AS TO CREDIT ALL THE REVENUES TO THE STATE HIGHWAY FUND EXCEPT FOR CERTAIN AMOUNTS THAT ARE USED FOR THE EDUCATION IMPROVEMENT ACT; BY ADDING ARTICLE 4 TO CHAPTER 28, TITLE 12 SO AS TO IMPOSE AN EXCISE TAX ON THE WHOLESALE PRICE OF MOTOR FUEL EQUAL TO THE CUMULATIVE STATE SALES TAX RATE, TO PROVIDE THAT THE REVENUE MUST BE CREDITED TO THE STATE HIGHWAY FUND, TO PROVIDE THAT THE EXCISE TAX MAY NOT EXCEED THE EQUIVALENT OF SIXTEEN CENTS A GALLON, AND TO PROVIDE THE MANNER IN WHICH THE EXCISE TAX IS CALCULATED AND ADMINISTERED; BY ADDING ARTICLE 9 TO CHAPTER 11, TITLE 57 SO AS TO IMPOSE AN EXCISE TAX ON MOTOR CARRIERS IN THE SAME MANNER AS THE EXCISE TAX ON MOTOR FUEL; AND TO AMEND SECTION 12‑6‑510, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12‑6‑520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

Senator LEATHERMAN moved that the Bill be set for Special Order.

The Bill was set for Special Order.

**Recorded Vote**

Senators BRIGHT, BRYANT, SHANE MARTIN, CORBIN and DAVIS desired to be recorded as voting against the motion to set the Bill for Special Order.

**MOTION ADOPTED**

At 2:27 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

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

**RECOMMITTED**

H. 3877 -- Reps. Delleney, D.C. Moss and Douglas: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF TWO OR FEWER DAYS THAT SCHOOLS IN CHESTER COUNTY CLOSED IN FEBRUARY 2015 DUE TO INCLEMENT WEATHER FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

On motion of Senator HAYES, the Joint Resolution was recommitted to the Committee on Education.

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

**DEBATE INTERRUPTED**

H. 3114 -- Reps. Nanney, Hicks, Allison, Atwater, Ballentine, Bannister, Bingham, Brannon, Burns, Chumley, Clary, Corley, H.A. Crawford, Crosby, Daning, Delleney, Erickson, Forrester, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Hiott, Huggins, Kennedy, Limehouse, Loftis, Long, McCoy, Merrill, D.C. Moss, Newton, Pitts, Pope, Quinn, Ryhal, Sandifer, G.M. Smith, G.R. Smith, Stringer, Tallon, Taylor, Thayer, Yow, Wells, Willis, Hixon, Putnam, Rivers, V.S. Moss, Whitmire, Bedingfield, Hill, Duckworth and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 41, TITLE 44 SO AS TO ENACT THE “SOUTH CAROLINA PAIN‑CAPABLE UNBORN CHILD PROTECTION ACT”, TO PROVIDE FINDINGS OF THE GENERAL ASSEMBLY, TO DEFINE NECESSARY TERMS, TO REQUIRE A PHYSICIAN TO CALCULATE THE PROBABLE POST‑FERTILIZATION AGE OF AN UNBORN CHILD BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST‑FERTILIZATION AGE OF THE UNBORN CHILD IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN REPORTING BY PHYSICIANS WHO PERFORM ABORTIONS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PREPARE PUBLIC REPORTS THAT PROVIDE DATA ON ABORTIONS PERFORMED IN THE STATE AND TO PROMULGATE REGULATIONS, TO PROVIDE FOR A CIVIL RIGHT OF ACTION FOR CERTAIN INDIVIDUALS AGAINST A PHYSICIAN PERFORMING AN ABORTION IN VIOLATION OF THE ACT AND FOR INJUNCTIVE RELIEF, TO CREATE CRIMINAL PENALTIES, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

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

Senator HUTTO spoke on the Bill.

Debate was interrupted by adjournment.

**Motion Adopted**

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

**LOCAL APPOINTMENTS**

**Confirmations**

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

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Tracey L. Carroll, 253 Magnolia Lake Road, Aiken, SC 29803

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Donna H. Williamson, 13 Hollow Creek Circle, Salley, SC 29137

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Carl S. Insley, Post Office Box 769, Langley, SC 29834

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Patrick D. Sullivan, 200 Main Street, Jackson, SC 29831

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Melanie J. DuBose, 121 Academy Street, Monetta, SC 29105

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

Sheridan L. Lynn, Jr., 204 Oakhurst Drive, North Augusta, SC 29860

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Sheridan L. Lynn, Jr., 204 Oakhurst Drive, North Augusta, SC 29860

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Jerry L. Mullikin, 2301 Six and Twenty Road, Pendleton, SC 29670

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

James T. Busby, Jr., 1200 Good Hope Church Road, Starr, SC 29684

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Sherry E. Mattison, 309 Oakwood Estates Drive, Anderson, SC 29621

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

William E. Gilmer, 306 Elizabeth Street, Honea Path, SC 29654

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Linda C. Dudley-Graham, Post Office Box 623, Starr, SC 29684

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Samuel M. Lollis, 116 Royal Drive, Williamston, SC 29697

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Wynee D. Eubanks, 107 Hillandale Road, Pendleton, SC 29670

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Denise M. Malone, 803 Concord Avenue, Anderson, SC 29621

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

William D. Sharp, 2404 East North Avenue, Anderson, SC 29625

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Samuel T. Tucker III, 230 Grace Lane, Piedmont, SC 29623

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ronald W. Whitman, 2601 Saxony Drive, Anderson, SC 29621

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Nancy W. Devine, 121 Wilson Road, Williamston, SC 29697

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ava B. Ayers, 14 Basilica Avenue North, Hanahan, SC 29461

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ellen L. Karesh, 105 Haleswood Circle, Goose Creek, SC 29455

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Whilden V. Baggett, 155 Decatur Drive, Summerville, SC 29483

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ervin Brown, 1133 Schurlknight Road, St. Stephen, SC 29479

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Rad S. Deaton, 1501 Snowy Egret Pointe, Hanahan, SC 29410

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Paula F. McElvogue, 105 Worlingham Court, Goose Creek, SC 29445

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

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

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Otis C. Prioleau, 116 Universal Circle, Alvin, SC 29479

Initial Appointment, Berkeley County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Doyle M. Stokes, 5812 Lakeview Drive, Hanahan, SC 29410 *VICE* New Appointment

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Leisa R. Hotchkiss, 716 Wingert Road, Greenwood, SC 29649

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Christopher R. Johnson, 230 McGhee Avenue, Greenwood, SC 29649

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Walter R. Martin, 416 Dogwood Drive, Greenwood, SC 29646

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Bartholomew S. McGuire, 105 Parkview Place, Greenwood, SC 29646

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Belinda Y. Johnson, 1703 Westbrook Drive, Greenwood, SC 29649

**MOTION ADOPTED**

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Edward “Bill” Stilwell of Lexington, S.C. Bill was a graduate of Brooklyn Cayce High School, received a BS degree in Mechanical Engineering and a Master’s degree in Business Administration from USC, where he was a lifelong Gamecock fan. He served in the S.C. Air National Guard and began his career at the S.C. Department of Health and Environmental Control. Bill was a member of Mt. Tabor Lutheran Church, served with the Optimist Club and Lexington Medical Center. Mr. Stilwell was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 2:31 P.M., on motion of Senator HUTTO, the Senate adjourned to meet tomorrow at 2:00 P.M.

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