

NO. 33

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

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TUESDAY, MARCH 10, 2015

**Tuesday, March 10, 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:

The prophet Isaiah reminds us that those who are faithful:

“ ‘...will go out in joy and be led forth in peace...’ ”

(Isaiah 55:12a)

Bow in prayer with me, please:

Our heartfelt prayer today, O Lord, is that each one of these members of the South Carolina Senate will experience joy as they serve the people of our State. Surely there are times when disappointments and setbacks will present themselves, when frustrations run high, when some dream fails to materialize. Nonetheless, God, encourage these leaders; give them real hope for the future; bring success to their worthwhile plans. Help them to know how we truly pray for their achieving great good for all of our citizens. We pray this in Your hopeful name, dear Lord. Amen.

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

**CORRECTION TO THE JOURNAL**

The following Resolution was inadvertently referred to the Committee on Labor, Commerce and Industry in the Journal of Thursday, March 5, 2015 and is corrected as follows:

H. 3760 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN PSYCHOLOGY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4515, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

**TUESDAY, MARCH 10, 2015**

**CORRECTION TO THE JOURNAL**

The following Resolution was inadvertently referred to the Committee on Medical Affairs in the Journal of Thursday, March 5, 2015 and is corrected as follows:

H. 3757 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PHYSICAL THERAPY EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4512, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2015, and to expire June 30, 2019  
3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2011, and to expire June 30, 2015  
3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2014, and to expire June 30, 2018  
7th Congressional District:

Bryan H. Dowd, BHD Builders, Inc., 1931 Osprey Drive, Florence, SC 29501

Referred to the Committee on Labor, Commerce and Industry.

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Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2015, and to expire November 27, 2019

General Public:

Dean S. Stephens, 102 Golf View Lane, Greenville, SC 29609

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2011, and to expire November 27, 2015

General Public:

Dean S. Stephens, 102 Golf View Lane, Greenville, SC 29609

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2014, and to expire November 27, 2018

LISW:

Harold T. Patrick, Jr., 37 Carolina Street, Charleston, SC 29403 *VICE*  
Marjorie Hammock

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Examiners in Speech-Language Pathology and Audiology, with the term to commence June 1, 2014, and to expire June 1, 2018

Speech-Language Pathologist:

Tanya T. Wilson, 521 Woodlock Lane, Columbia, SC 29229

Referred to the Committee on Medical Affairs.

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4454

Agency: Public Service Commission

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Chapter: 103  
Statutory Authority: 1976 Code Section 58-3-140  
SUBJECT: Commissioners  
Received by Lieutenant Governor January 13, 2015  
Referred to Judiciary Committee  
Legislative Review Expiration May 13, 2015

**Doctor of the Day**

Senator LEATHERMAN introduced Dr. Corey Smith of Florence, S.C., Doctor of the Day.

**Leave of Absence**

At 12:53 P.M., Senator MALLOY requested a leave of absence for Senator PINCKNEY for the day.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 519 Sen. Kimpson  
S. 199 Sen. Campsen  
S. 129 Sen. Fair  
S. 30 Sens. Cleary and Campbell

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 525 -- Senators Grooms, Pinckney, Campsen, Cleary, Campbell, Bennett, Thurmond and Kimpson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND CATHY DIANNE COLLUM FOR TWENTY YEARS OF OUTSTANDING AND DEDICATED SERVICE TO THE CHARLESTON COUNTY LEGISLATIVE DELEGATION AND TO WISH HER MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 526 -- Senator Leatherman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-4-

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397 SO AS TO AUTHORIZE THE DEPARTMENT OF REVENUE TO DESIGNATE A THREE-MONTH AMNESTY PERIOD DURING WHICH THE DEPARTMENT SHALL WAIVE DELINQUENT TAX PENALTIES AND INTEREST AND SHALL NOT INITIATE A CRIMINAL INVESTIGATION, TO SPECIFY TAXPAYERS THAT MAY PARTICIPATE IN THE PROGRAM, AND TO SET FORTH THE MANNER IN WHICH THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

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

S. 527 -- Senators Lourie and Bryant: A BILL TO AMEND SECTION 9-1-1310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRUSTEES OF THE RETIREMENT SYSTEM, SO AS TO PROVIDE THAT THE RETIREMENT SYSTEM INVESTMENT COMMISSION (RSIC) IS A COTRUSTEE INSTEAD OF THE STATE BUDGET AND CONTROL BOARD, AND TO REQUIRE THE PUBLIC EMPLOYEE BENEFIT AUTHORITY (PEBA) TO HOLD THE ASSETS OF THE RETIREMENT SYSTEM IN A GROUP TRUST; TO AMEND SECTION 9-1-1320, RELATING TO THE CUSTODIAN OF RETIREMENT FUNDS, SO AS TO PROVIDE THAT THE BOARD OF DIRECTORS OF PEBA SHALL BE THE CUSTODIAN, AND TO AUTHORIZE RSIC TO SELECT THE CUSTODIAL BANK; TO REPEAL SECTIONS 9-8-170(1), 9-9-160(1), 9-10-80(A), AND 9-11-250(1), ALL RELATING TO THE CUSTODIAN OF RETIREMENT FUNDS, SO AS MAKE A CONFORMING CHANGE; TO AMEND SECTION 9-4-10, RELATING TO THE ESTABLISHMENT OF PEBA, SO AS TO CHANGE THE COMPOSITION OF THE BOARD OF DIRECTORS, TO PROVIDE THAT DIRECTORS SERVE FOR A TERM OF FIVE YEARS AND MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS, AND TO PROVIDE FOR AN EXECUTIVE DIRECTOR; BY ADDING SECTION 9-4-35 SO AS TO AUTHORIZE PEBA TO EXPEND CERTAIN FUNDS TO SUPPORT THE PERSONAL SERVICE, EMPLOYEE BENEFITS, AND OPERATIONAL EXPENSES OF THE AUTHORITY; TO AMEND SECTION 9-4-40, RELATING TO THE AUDIT OF PEBA, SO AS TO REQUIRE THE AUDIT BE PERFORMED EVERY FOUR YEARS; TO REPEAL SECTION 9-1-310 RELATING TO THE ADMINISTRATIVE COSTS OF THE RETIREMENT SYSTEMS; TO

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REPEAL SECTION 9-4-45 RELATING TO PEBA POLICY DETERMINATIONS; TO AMEND SECTION 9-16-10, AS AMENDED, RELATING TO DEFINITIONS PERTAINING TO RETIREMENT SYSTEM FUNDS, SO AS TO DEFINE 'FIDUCIARY' AND 'TRUSTEE'; BY ADDING SECTION 9-16-25 SO AS TO AUTHORIZE RSIC TO EXPEND AN AMOUNT OF THE TRUST FUNDS TO SUPPORT THE PERSONAL SERVICE, EMPLOYEE BENEFITS, AND OPERATIONAL EXPENSES OF THE COMMISSION; TO AMEND SECTION 9-16-315, AS AMENDED, RELATING TO THE RSIC, SO AS TO AMEND THE COMPOSITION OF RSIC, TO PROVIDE THAT COMMISSION MEMBERS SERVE FOR A TERM OF FIVE YEARS AND MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS, TO PROVIDE FOR QUALIFICATIONS OF MEMBERS, TO PROVIDE FOR AN EXECUTIVE DIRECTOR, AND TO PROVIDE FOR A PROCUREMENT PLAN; TO AMEND SECTION 9-16-320, AS AMENDED, RELATING TO THE ANNUAL INVESTMENT PLAN OF RSIC, SO AS TO PROVIDE THAT THE CHIEF INVESTMENT OFFICER SHALL DEVELOP THE PLAN SUBJECT TO THE OVERSIGHT OF THE EXECUTIVE DIRECTOR; TO AMEND SECTION 9-16-330, AS AMENDED, RELATING TO INVESTMENT OBJECTIVES, SO AS TO INCORPORATE THE EXECUTIVE DIRECTOR; TO AMEND SECTION 9-16-335, RELATING TO THE ASSUMED RATE OF RETURN, SO AS TO PROVIDE THAT THE ASSUMED RATE OF RETURN EXPIRES EVERY FOUR YEARS; TO AMEND SECTION 9-16-340, AS AMENDED, RELATING TO THE INVESTMENT OF RETIREMENT FUNDS, SO AS TO INCORPORATE THE EXECUTIVE DIRECTOR; TO AMEND SECTION 9-16-380, RELATING TO THE AUDIT OF RSIC, SO AS TO REQUIRE THE AUDIT BE PERFORMED EVERY FOUR YEARS; AND TO AMEND SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE PROCUREMENT CODE, SO AS TO EXEMPT RSIC AND PEBA.

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

S. 528 -- Senators Setzler, Peeler and Bryant: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 31, TITLE 59 SO AS TO PROVIDE A TEXTBOOK POLICY FOR PUBLIC INSTITUTIONS OF HIGHER

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EDUCATION THAT IS INTENDED TO HELP MINIMIZE COLLEGE TEXTBOOK COSTS, TO DEFINE NECESSARY TERMINOLOGY, AND TO PROVIDE RELATED OBLIGATIONS OF THE COMMISSION ON HIGHER EDUCATION AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF TEXTBOOK POLICIES.

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Senator SETZLER spoke on the Bill.

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

S. 529 -- Senators L. Martin, Alexander, Campbell, O'Dell, Reese, Peeler, Shealy, Gregory, Massey, Turner, Bennett, Cromer, Grooms, Bryant, Williams and S. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 23, TITLE 58 SO AS TO ESTABLISH THE "CDL DRIVER EMPLOYMENT PROTECTION ACT", TO PROVIDE THAT CIVIL LIABILITY CLAIMS MADE AGAINST AN EMPLOYER OF A PERSON WHO HOLDS A VALID COMMERCIAL DRIVER LICENSE BASED ON A THEORY OF NEGLIGENT HIRING, TRAINING, RETENTION, OR ENTRUSTMENT MUST BE CONSIDERED IN THE SECOND PHASE OF A BIFURCATED TRIAL PURSUANT TO SECTION 15-32-520(E), IF THERE IS EVIDENCE TO SUPPORT AN AWARD OF PUNITIVE DAMAGES, BUT PUNITIVE DAMAGES MAY NOT BE AWARDED AGAINST AN EMPLOYER SOLELY ON THE BASIS OF VICARIOUS LIABILITY.

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

S. 530 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE DR. HERMON GIBSON, JR., OF CLARENDON COUNTY ON THE OCCASION OF HIS SEVENTIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

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S. 531 -- Senator Bryant: A BILL TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING SECTION 44-41-90, TO PROHIBIT DISMEMBERMENT ABORTIONS, TO DEFINE DISMEMBERMENT ABORTION, TO PROVIDE PENALTIES FOR THE PERFORMANCE OF A DISMEMBERMENT ABORTION, AND TO ALLOW A CIVIL CAUSE OF ACTION.

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Read the first time and referred to the Committee on Medical Affairs.

S. 532 -- Senators Coleman, Williams, Hutto, Rankin and Cleary: A BILL TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX CREDITS FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR CERTIFIED HISTORIC STRUCTURES, SO AS TO CLARIFY THE TAXES AND LICENSE FEES AGAINST WHICH THE TAX CREDIT MAY BE TAKEN, TO PROVIDE FOR A NEW TWENTY-FIVE PERCENT TAX CREDIT, TO PROVIDE FOR THE CIRCUMSTANCES AND LIMITATIONS OF THE NEW TAX CREDIT, TO DEFINE "STATE-OWNED ABANDONED BUILDING" FOR THE PURPOSES OF THE SECTION, TO PROVIDE FOR THE TIME PERIOD DURING WHICH A TAX CREDIT MAY BE CLAIMED FOR WORK PERFORMED IN CONNECTION WITH A STATE-OWNED ABANDONED BUILDING, AND TO PROVIDE THAT THE TAX CREDIT MAY BE ASSIGNED; TO AMEND SECTION 12-67-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "STATE-OWNED ABANDONED BUILDING" FOR THE PURPOSES OF CHAPTER 67, TITLE 12; TO AMEND SECTION 12-67-140, RELATING TO ELIGIBILITY FOR CREDIT, SO AS TO INCLUDE INSURANCE PREMIUM TAXES AS ONE OF THE TAXES AGAINST WHICH A CREDIT CAN BE CLAIMED, TO PROVIDE FOR THE TIME PERIOD IN WHICH A TAX CREDIT MAY BE TAKEN, TO PROVIDE FOR AN EXEMPTION TO THE VALUE LIMITATIONS OF THE TAX CREDIT FOR WORK DONE IN CONNECTION WITH A STATE-OWNED ABANDONED BUILDING, AND TO REMOVE A LIMITATION RELATED TO THE AMOUNT A TAXPAYER'S TAX LIABILITY MAY BE REDUCED; AND BY ADDING SECTION 12-67-160 SO AS TO PROVIDE FOR

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HOW A TAXPAYER MAY APPLY TO OBTAIN CERTIFICATION OF SITE AND WHAT THE CERTIFICATION MUST INCLUDE.

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

S. 533 -- Senators Hayes, Courson, Thurmond, L. Martin, Jackson and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "TEACHER EMPLOYMENT AND DISMISSAL ACT OF 2015"; TO AMEND SECTION 59-25-410, RELATING TO THE ANNUAL APRIL FIFTEENTH DEADLINE FOR NOTIFYING TEACHERS OF THEIR EMPLOYMENT FOR THE ENSUING YEAR, SO AS TO CHANGE THE DEADLINE TO BEFORE MAY FIRST; TO AMEND SECTION 59-25-420, RELATING TO THE REQUIREMENT THAT TEACHERS NOTIFY THE DISTRICT OF THEIR ACCEPTANCE OF TEACHING CONTRACTS WITHIN A SPECIFIED PERIOD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-25-460, RELATING TO NOTICES OF DISMISSAL AND CONDUCT OF RELATED HEARINGS, SO AS TO PROVIDE FOR THE CONDUCT OF HEARINGS BY THE BOARD OR ITS DESIGNEE, TO PROVIDE FOR THE USE OF THE RECOMMENDATIONS AND REPORT OF A DESIGNEE WHO CONDUCTS A HEARING, TO PROVIDE THE BOARD HAS FINAL DECISION-MAKING AUTHORITY REGARDING A SUSPENSION OR DISMISSAL HEARING, AMONG OTHER THINGS; TO AMEND SECTION 59-25-470, RELATING TO THE SCHEDULING OF TEACHER DISMISSAL HEARINGS, SO AS TO MAKE CONFORMING CHANGES, TO EXTEND THE PERIOD FOR SCHEDULING A HEARING TO FORTY-FIVE DAYS, AND TO PROVIDE THAT HEARINGS ARE QUASI-JUDICIAL, AND TO PERMIT THE USE OF HEARSAY EVIDENCE IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 59-25-480, RELATING TO APPEALS TO THE CIRCUIT COURT FROM A DISTRICT LEVEL DECISION ON A TEACHER DISMISSAL HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE THESE APPEALS INSTEAD MUST BE MADE TO THE ADMINISTRATIVE LAW COURT; AND TO AMEND SECTIONS 59-25-490 AND 59-25-520, BOTH RELATING TO MISCELLANEOUS PROVISIONS CONCERNING DISCOVERY AND RELATED POWERS OF THE JUDICIARY, SO AS TO MAKE CONFORMING CHANGES.

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

S. 534 -- Senator Johnson: A BILL TO AMEND THE LAST SENTENCE OF SECTION 3 OF ACT 355 OF 2004, RELATING TO THE CLARENDON COUNTY SCHOOL DISTRICTS PROPERTY TAX RELIEF ACT, TO PROVIDE THAT A PERCENTAGE OF THE SPECIAL ONE PERCENT SALES AND USE TAX IN CLARENDON COUNTY IMPOSED PURSUANT TO THE ACT MAY BE APPLIED TO SUPPORT SCHOOL OPERATING EXPENSES; AND TO AMEND SECTION 4(A) OF ACT 355 OF 2004, TO PROVIDE THAT A TAX IMPOSED PURSUANT TO ACT 355 MAY BE IMPOSED FOR NOT MORE THAN THIRTY YEARS.

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

S. 535 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 410, KNOWN AS GREEN SEA ROAD SOUTH, IN HORRY COUNTY, FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 917 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 701 "DENNIS E. PHIPPS 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. 536 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 57 IN HORRY COUNTY, FROM ITS INTERSECTION WITH GORE ROAD TO ITS INTERSECTION WITH BRIGHT ROAD "STALVEY BELLAMY 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. 537 -- Senator L. Martin: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE SENATE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING ON THURSDAY, NOVEMBER 19, 2015, AND FRIDAY, NOVEMBER 20, 2015, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

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The Senate Resolution was introduced and referred to the Committee on Invitations.

S. 538 -- Senators Scott, Johnson, Malloy and Hembree: A BILL TO AMEND SECTION 7-15-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 9:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY.

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

S. 539 -- Senator Hayes: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE ROCK HILL ELK LODGE NO. 1318 ON THE JOYOUS OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO WISH THE LODGE MEMBERS MANY YEARS OF CONTINUED SERVICE TO THE COMMUNITY.

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The Senate Resolution was adopted.

S. 540 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO HONOR LINDA S. SMITH, G8, DIRECTOR OF THE RESOURCE MANAGEMENT

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OFFICE (RMO) AT FORT JACKSON'S UNITED STATES ARMY SOLDIER SUPPORT INSTITUTE (SSI), FOR HER FORTY YEARS OF DEDICATED SERVICE TO THE PEOPLE OF THIS GREAT STATE AND NATION, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 541 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR REVEREND MICHAEL H. BAKER FOR HIS SIGNIFICANT CONTRIBUTIONS TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON THE OCCASION OF HIS EIGHTEENTH ANNIVERSARY AS PASTOR OF THE GREATER SAINT LUKE BAPTIST CHURCH IN COLUMBIA.

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The Senate Resolution was adopted.

S. 542 -- Senator Cleary: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND SHEA THOMAS OF GEORGETOWN COUNTY FOR HER OUTSTANDING COMMUNITY SERVICE AND TO CONGRATULATE HER UPON BEING NAMED A 2015 PRUDENTIAL SPIRIT OF COMMUNITY AWARD DISTINGUISHED FINALIST.

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The Senate Resolution was adopted.

H. 3014 -- Reps. Bannister, Allison, Atwater, Ballentine, Bedingfield, Bingham, Bradley, Brannon, Burns, Chumley, Clary, Clemmons, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Duckworth, Erickson, Finlay, Forrester, Gagnon, Gambrell, Goldfinch, Hamilton, Hardee, Hardwick, Henderson, Herbkersman, Hicks, Hill, Hiott, Hixon, Horne, Huggins, Johnson, Kennedy, Limehouse, Loftis, Long, Lowe,

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Lucas, McCoy, Merrill, D. C. Moss, V. S. Moss, Murphy, Nanney, Newton, Pitts, Pope, Putnam, Quinn, Riley, Rivers, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Stringer, Tallon, Taylor, Wells, White, Whitmire, Willis, Yow, George, McKnight, Thayer, J. E. Smith and Whipper: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO SESSIONS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE FOR ANNUAL SESSIONS OF THE GENERAL ASSEMBLY COMMENCING ON THE SECOND TUESDAY IN FEBRUARY RATHER THAN THE SECOND TUESDAY IN JANUARY OF EACH YEAR, REQUIRE EACH ANNUAL SESSION OF THE GENERAL ASSEMBLY TO ADJOURN SINE DIE NOT LATER THAN THE FIRST THURSDAY IN MAY EACH YEAR, AND ALLOW THE GENERAL ASSEMBLY TO CONVENE IN LOCAL SESSION AND FOR THE PURPOSE OF BEGINNING COMMITTEE MEETINGS OR HEARINGS ON THE SECOND TUESDAY OF JANUARY EACH YEAR.

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

H. 3165 -- Reps. Tallon, Cole, Allison, Forrester and G. R. Smith: A BILL TO AMEND SECTIONS 56-5-130 AND 56-5-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS "MOTOR VEHICLE" AND "MOTORCYCLE", SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

H. 3251 -- Reps. G. M. Smith and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-310 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH THE MATERNAL MORBIDITY AND MORTALITY REVIEW COMMITTEE TO REVIEW AND STUDY MATERNAL DEATHS AND TO REPORT THE FINDINGS TO THE GENERAL ASSEMBLY.

Read the first time and referred to the Committee on Medical Affairs.

H. 3305 -- Reps. Lowe, Bingham, Horne, Weeks and Bradley: A BILL TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF

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LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DENIAL OF UNEMPLOYMENT BENEFITS FOR AN EMPLOYEE WHO TESTS POSITIVE FOR ILLEGAL DRUG USE OR THE UNLAWFUL USE OF LEGAL DRUGS, SO AS TO REVISE THE RANGE OF SPECIMENS FROM AN EMPLOYEE THAT MAY BE TESTED TO INCLUDE ORAL FLUIDS.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3374 -- Reps. Merrill, White and G. R. Smith: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NOT LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE FUND MUST BE INCREASED BY TWO PERCENT IF REVENUES ARE PROJECTED TO INCREASE BY AT LEAST FOUR PERCENT, TO PROVIDE THAT THE TWO PERCENT INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

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

H. 3571 -- Reps. Limehouse, R. L. Brown, Sottile and Bedingfield: A CONCURRENT RESOLUTION TO MEMORIALIZE THE COMMISSIONER OF BASEBALL TO REINSTATE "SHOELESS JOE" JACKSON AS A MEMBER IN GOOD STANDING IN PROFESSIONAL BASEBALL AND REQUEST, THAT IF REINSTATED, THE APPROPRIATE COMMITTEE NOMINATE HIM TO BE INDUCTED TO THE NATIONAL BASEBALL HALL OF FAME.

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

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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.

Read the first time and referred to the Committee on Medical Affairs.

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.

Read the first time and referred to the Committee on Medical Affairs.

H. 3750 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO DISAPPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO CERTIFICATION OF NEED FOR HEALTH FACILITIES AND SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4551, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 3790 -- Reps. R. L. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. 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, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, 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,

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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 HONOR THE REVEREND AUDREY O. DEAS, PASTOR OF ST. PAUL PRESBYTERIAN CHURCH USA IN HOLLYWOOD, FOR HER MANY YEARS OF GOSPEL MINISTRY, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT, AND TO WISH HER GOD'S RICHEST BLESSINGS AS SHE CONTINUES TO SERVE THE LORD.

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

### **REPORTS OF STANDING COMMITTEES**

#### **Appointments Reported**

Senator FAIR from the Committee on Corrections and Penology submitted a favorable report on:

#### **Statewide Appointment**

Initial Appointment, Director of Department of Probation, Parole and Pardon Services, with term coterminous with Governor

Director:

Jerry B. Adger, 4 Whetstone Creek Court, Irmo, SC 29063 *VICE* Ms. Kela Thomas

Received as information.

Senator HAYES from the Committee on Banking and Insurance submitted a favorable report on:

#### **Statewide Appointment**

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2014, and to expire June 30, 2018

Mortgage Lending:

Rhonda B. Marcum, 652 Pawley Road, Mount Pleasant, SC 29464

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

S. 167 -- Senators Turner and Campbell: A BILL TO AMEND SECTION 40-25-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT OF A LICENSE FOR THE PRACTICE OF SPECIALIZING IN HEARING AIDS, SO AS TO EXPAND APPLICABILITY OF THE REQUIREMENT TO INCLUDE OFFERS TO SELL HEARING AIDS THROUGH MAIL, INTERNET, OR OTHER MEANS; TO REVISE AN EXCLUSION FOR BUSINESSES THAT EMPLOY LICENSEES TO ALSO INCLUDE BUSINESSES THAT CONTRACT WITH LICENSEES TO SELL AND FIT HEARING AIDS; TO PROVIDE THAT NOTHING IN THIS CHAPTER PROHIBITS A PERSON FROM ENGAGING IN THE BUSINESS OF SELLING OR OFFERING FOR SALE HEARING AIDS THROUGH THE MAIL, INTERNET, OR OTHER MEANS TO DISTRIBUTORS, DEALERS, OR OTHER PERSONS ENGAGED IN THE PRACTICE OF SPECIALIZING IN HEARING AIDS THAT ARE LICENSED IN THIS STATE; AND TO PROVIDE THAT NOTHING IN THIS CHAPTER PROHIBITS THE SALE OF HEARING AIDS THROUGH THE MAIL, INTERNET, OR ANY OTHER MEANS IF THE SALE IS MADE PURSUANT TO THE DIRECT PRESCRIBED RECOMMENDATION OF A PERSON HOLDING AN UNSUSPENDED, UNREVOKED LICENSE ISSUED BY THE DEPARTMENT PURSUANT TO THIS CHAPTER.

Ordered for consideration tomorrow.

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

S. 168 -- Senator Kimpson: A JOINT RESOLUTION TO DECLARE SEPTEMBER 26, ANNUALLY, AS MESOTHELIOMA AWARENESS DAY.

Ordered for consideration tomorrow.

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

S. 228 -- Senator Campbell: A BILL TO AMEND SECTION 44-1-60 OF THE 1976 CODE, RELATING TO APPEALS FROM A DEPARTMENT DECISION GIVING RISE TO A CONTESTED CASE; TO REMOVE THE BOARD OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

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FROM CHALLENGES TO STAFF DECISIONS AND TO PROVIDE THAT CHALLENGES TO STAFF DECISIONS ARE FILED WITH THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT; AND TO REPEAL REGULATION 61-72.

Ordered for consideration tomorrow.

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

S. 229 -- Senators Campbell and Turner: A BILL TO AMEND SECTION 48-1-90 OF THE 1976 CODE, RELATING TO REMEDIES FOR CAUSING OR PERMITTING POLLUTION OF THE ENVIRONMENT, TO CLARIFY THAT PERSONS WHO MAY FILE A PETITION WITH THE DEPARTMENT DOES NOT INCLUDE A DEPARTMENT, AGENCY, COMMISSION, DEPARTMENT, OR POLITICAL SUBDIVISION OF THE STATE, AND TO PROVIDE FOR DEPARTMENT DECISIONS THAT ARE NOT SUBJECT TO JUDICIAL REVIEW IN A CIVIL PROCEEDING; TO AMEND SECTION 6 OF ACT 198 OF 2012, RELATING TO THE SAVINGS CLAUSE, TO PROVIDE THAT THE SAVINGS CLAUSE OF ACT 198 APPLIES ONLY TO CASES FILED BEFORE JUNE 6, 2012, AND ANY FEDERAL PROJECT FOR WHICH A FINAL ENVIRONMENTAL IMPACT STATEMENT WAS ISSUED PRIOR TO JUNE 6, 2012, BUT NO RECORD OF DECISION WAS ISSUED PRIOR TO JUNE 6, 2012.

Ordered for consideration tomorrow.

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

S. 278 -- Senators Hutto, Johnson, Lourie and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-29-185 SO AS TO ENACT THE "CERVICAL CANCER PREVENTION ACT", TO PROVIDE THAT BEGINNING WITH THE 2015-2016 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO

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PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE “CERVICAL CANCER VACCINATION SERIES”, AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

Ordered for consideration tomorrow.

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

S. 339 -- Senators Lourie and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “HOPE’S LAW” BY ADDING SECTION 44-115-160 SO AS TO REQUIRE MAMMOGRAM PROVIDERS TO PROVIDE A MAMMOGRAM REPORT TO PATIENTS ABOUT BREAST DENSITY AND TO REQUIRE THESE PROVIDERS TO INCLUDE A CONSPICUOUS NOTICE WHEN A MAMMOGRAM SHOWS THE PRESENCE OF DENSE BREAST TISSUE.

Ordered for consideration tomorrow.

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

S. 357 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 30, TITLE 44 SO AS TO BE ENTITLED “IMMUNITY FROM LIABILITY FOR PROVIDING FREE HEALTH CARE SERVICES”, AND TO PROVIDE THAT THE SERVICES OF A HEALTH CARE PROVIDER TREATING A PATIENT FREE OF CHARGE ARE DEEMED TO BE WITHIN THE SCOPE OF THE GOOD SAMARITAN STATUTE; TO REENTITLE CHAPTER 30, TITLE 44 AS “HEALTH CARE PROFESSIONALS”; TO DESIGNATE SECTIONS 44-30-10 THROUGH 44-30-90 AS ARTICLE 1, CHAPTER 30, TITLE 44, ENTITLED “HEALTH CARE PROFESSIONAL COMPLIANCE ACT”; AND TO AMEND SECTION 38-79-30, AS AMENDED, RELATING TO LIABILITY OF HEALTH CARE PROVIDERS WHEN PROVIDING FREE MEDICAL CARE, SO AS TO REQUIRE A WRITTEN AGREEMENT OF PROVISION OF THE VOLUNTARY, UNCOMPENSATED

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CARE AND TO ALLOW THE WRITTEN AGREEMENT TO BE AN ELECTRONIC RECORD.

Ordered for consideration tomorrow.

Senator HAYES from the Committee on Banking and Insurance submitted a favorable report on:

S. 361 -- Senators Hayes, Cromer, Shealy and Scott: A BILL TO AMEND SECTION 38-73-736, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTOMOBILE INSURANCE RATE REDUCTIONS FOR NON-YOUTHFUL OPERATORS, SO AS TO DELETE REFERENCES TO APPROVED DRIVER TRAINING REFRESHER COURSES AND TO REDUCE FROM SIX HOURS TO FOUR HOURS THE AMOUNT OF CLASSROOM TRAINING REQUIRED FOR APPROVED DRIVER TRAINING COURSES.

Ordered for consideration tomorrow.

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

S. 413 -- Senators Cleary, Leatherman, Bryant, Johnson, Campbell, Peeler, Fair and Shealy: A BILL TO AMEND SECTION 40-43-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER INFLUENZA VACCINES AND CERTAIN MEDICATIONS, SO AS TO PROVIDE A PROCEDURE FOR CREATING PROTOCOL THROUGH WHICH PHARMACISTS MAY ADMINISTER CERTAIN VACCINES WITHOUT A WRITTEN ORDER OR PRESCRIPTION FROM A PRACTITIONER, TO PROVIDE CIRCUMSTANCES IN WHICH A PHARMACY INTERN MAY ADMINISTER VACCINATIONS, TO REVISE RECORD-KEEPING REQUIREMENTS TO EXTEND THE PERIOD FOR MAINTAINING RECORDS AND SPECIFY THE MANNER OF DETERMINING THE DATE FROM WHICH THIS PERIOD IS MEASURED, AND TO PROVIDE FOR THE ELECTRONIC STORAGE OF CERTAIN DOCUMENTS, RECORDS, AND COPIES; AND TO AMEND SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST ADMINISTERED INFLUENZA VACCINES COMMITTEE, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

S. 466 -- Senator Cleary: A BILL TO AMEND SECTION 40-37-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASING, POSSESSING, ADMINISTERING, SUPPLYING, AND PRESCRIBING OF CERTAIN PHARMACEUTICAL AGENTS BY OPTOMETRISTS AND THE PROHIBITION ON SCHEDULE I AND II CONTROLLED SUBSTANCES, SO AS TO CLARIFY THAT SCHEDULE II CONTROLLED SUBSTANCES THAT HAVE BEEN RECLASSIFIED FROM SCHEDULE III TO SCHEDULE II ON OR AFTER OCTOBER 6, 2014, MAY CONTINUE TO BE PURCHASED, POSSESSED, ADMINISTERED, SUPPLIED, AND PRESCRIBED BY AN OPTOMETRIST.

Ordered for consideration tomorrow.

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

H. 3752 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF DENTISTRY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4502, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

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

H. 3753 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS, RELATING TO FEES [AND FEE SCHEDULE], DESIGNATED AS REGULATION DOCUMENT NUMBER 4507, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

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

H. 3754 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF MEDICAL EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4509, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

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

H. 3756 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN OPTICIANRY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4511, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

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

H. 3758 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PODIATRY EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4513, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

#### **HOUSE CONCURRENCES**

S. 509 -- Senator Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE SIXTH ANNUAL SOUTH CAROLINA EMS MEMORIAL BIKE RIDE TO HONOR THOSE WHO HAVE GIVEN OF THEMSELVES WHILE RENDERING AID TO THE CITIZENS OF SOUTH CAROLINA.

Returned with concurrence.

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Received as information.

S. 516 -- Senator Williams: A CONCURRENT RESOLUTION TO CONGRATULATE THE REVEREND DR. ALVIN COSTELLO ROBINSON ON HIS FORTIETH PASTORAL ANNIVERSARY AT PLEASANT GROVE MISSIONARY BAPTIST CHURCH ON APRIL 11, 2015, AND TO WISH HIM CONTINUED HAPPINESS IN HIS SERVICE TO THE PEOPLE OF HIS COMMUNITY.

Returned with concurrence.

Received as information.

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 454 -- Senators Campsen and Turner: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, TO PROVIDE THAT A PERSON MUST HAVE IMMEDIATE ACCESS AND AUTHORIZATION TO UTILIZE DEER QUOTA TAGS TO HUNT ON PROPERTY WITH A DEER QUOTA PROGRAM PERMIT, TO PROVIDE FOR THE DEER QUOTA PROGRAM AND REQUIREMENTS FOR APPLICATION THERETO, TO PROVIDE THAT A PERSON MUST POSSESS A SET OF INDIVIDUAL DEER TAGS FROM THE DEPARTMENT TO HUNT ON PROPERTY WITHOUT A DEER QUOTA PROGRAM PERMIT, TO SET THE DEER TAG FEES FOR IN AND OUT-OF-STATE RESIDENTS; TO AMEND SECTION 50-9-920(B)(6) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO SUBSTITUTE DEER QUOTA PROGRAM PERMIT FOR ANTLERLESS DEER QUOTA PERMIT; TO AMEND SECTION 50-9-920(B)(7) OF THE 1976 CODE, TO REMOVE "ANTLERLESS" AND SUBSTITUTE "INDIVIDUAL"; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE FOR THE BAG LIMITS FOR ANTLERED AND ANTLERLESS DEER, AND THE LIMIT FOR DEER ON PROPERTY ENROLLED IN THE DEER QUOTA PROGRAM, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO TAKE MORE THAN THE LEGAL LIMIT OF

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DEER, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THE SECTION; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE DEER TAGS AND TO PROVIDE FOR THE CIRCUMSTANCES SURROUNDING THE VALIDITY OF SUCH TAGS, TO PROVIDE THAT ALL DEER TAKEN MUST BE TAGGED, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO POSSESS, MOVE, OR TRANSPORT AN UNTAGGED DEER, TO POSSESS MORE THAN ONE SET OF DEER TAGS OR TAGS ISSUED IN ANOTHER'S NAME, AND TO ALTER A DEER TAG FOR FRAUDULENT OR UNLAWFUL PURPOSES, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 50-11-390 OF THE 1976 CODE, RELATING TO DEPARTMENTAL AUTHORITY OVER GAME ZONES, TO AUTHORIZE THE DEPARTMENT TO PROMULGATE NECESSARY REGULATIONS RELATED TO THE TAKING OF DEER; AND TO REPEAL SECTION 50-11-335 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SWB\454C002.SWB.CM15), which was adopted:

Amend the bill, as and if amended, Section 50-11-320(B) as contained in SECTION 5, page 2, by deleting Section 50-11-320(B) and inserting:

/ (B)(1) Deer taken pursuant to individual deer tags must be tagged with a valid individual deer tag. Each tag must be attached to the deer as prescribed by the department before the animal is moved from the point of kill.

(2) Deer taken pursuant to Deer Quota Program tags must be tagged with a valid Deer Quota Program tag and reported to the department as prescribed. Each tag must be attached to the deer as prescribed by the department before the animal is moved from the point of kill. /

Amend the bill further by deleting SECTION 8 on page 5 and inserting:

/ SECTION 8. This act takes effect on July 1, 2016. /

Re-number sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the Bill.

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The question then was second reading of the Bill.

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

**Ayes 41; Nays 4**

**AYES**

Alexander	Allen	Bennett
Bryant	Campbell	Campsen
Cleary	Coleman	Corbin
Courson	Cromer	Davis
Fair	Gregory	Hayes
Hembree	Hutto	Jackson
Johnson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	Matthews	McElveen
Nicholson	O'Dell	Peeler
Rankin	Reese	Sabb
Scott	Shealy	Sheheen
Thurmond	Turner	Verdin
Williams	Young	

**Total--41**

**NAYS**

Bright	Grooms	Kimpson
Setzler		

**Total--4**

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

**READ THE SECOND TIME**

S. 463 -- Senators S. Martin and Campsen: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A REVIEW OF WILDLIFE TAGGING, VALIDATION, AND METHODS OF CHECKING HARVESTED GAME UTILIZED IN OTHER STATES AND TO REPORT ITS FINDINGS AND RECOMMENDATIONS.

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

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

**Ayes 42; Nays 1**

**AYES**

Alexander	Bennett	Bryant
Campbell	Campsen	Cleary
Coleman	Corbin	Courson
Cromer	Davis	Fair
Gregory	Grooms	Hayes
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	McElveen
Nicholson	O'Dell	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Thurmond	Turner
Verdin	Williams	Young

**Total--42**

**NAYS**

Bright

**Total--1**

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

**CARRIED OVER**

S. 350 -- Senators Campbell, Malloy, Setzler, Scott, Alexander, Hembree, O'Dell, Hayes, Grooms, Cleary, Williams, Bennett, Johnson, Hutto, L. Martin, Fair, Turner, Allen, Matthews, Peeler, Lourie, Courson, Coleman, Jackson, McElveen, Shealy, Sabb, Kimpson, Nicholson and Sheheen: A BILL TO AMEND SECTION 4 OF ACT 314 OF 2000, AS LAST AMENDED BY ACT 248 OF 2010 TO TERMINATE THE PROVISIONS OF THE SOUTH CAROLINA

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COMMUNITY ECONOMIC DEVELOPMENT ACT ON JUNE 30, 2020.

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

S. 501 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO LAW ENFORCEMENT OFFICER AND E-911 OFFICER TRAINING & CERTIFICATION (RENUMBER AND REORGANIZE), DESIGNATED AS REGULATION DOCUMENT NUMBER 4350, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 502 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4372, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 503 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE PUBLIC SERVICE COMMISSION, RELATING TO PROCEEDINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4455, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 504 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO REPORTING OF MISCONDUCT BY LAW ENFORCEMENT OFFICERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4345, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 506 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO ARTICLE 5, ADJUDICATION OF MISCONDUCT ALLEGATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4523, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**ADOPTED**

S. 334 -- Senator Johnson: A SENATE RESOLUTION TO REQUEST THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STATEWIDE STUDY OF BOATING SAFETY ISSUES AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO IMPROVE BOATING SAFETY ON THE WATERS OF THE STATE.

The Senate Resolution was adopted.

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

**MOTION ADOPTED**

At 12:59 P.M., on motion of Senator CROMER, the Senate agreed to dispense with the balance of the Motion Period.

**HOUSE AMENDMENTS AMENDED  
RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 196 -- Senators Hutto, L. Martin, Bryant, Campsen, S. Martin and Lourie: A BILL TO AMEND SECTION 14-7-1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GRAND JURY SYSTEM AND LEGISLATIVE FINDINGS AND APPLICABILITY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 14-7-1630, AS AMENDED, RELATING TO JURISDICTION OF THE STATE GRAND JURY, SO

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AS TO INCLUDE CRIMES INVOLVING TRAFFICKING IN PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16-3-2010, RELATING TO DEFINITIONS FOR PURPOSES OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE DEFINITION OF “SEX TRAFFICKING”; BY ADDING SECTION 16-3-2100 SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESS ESTABLISHMENTS, PROVIDE LANGUAGE FOR THE POSTING, AND PROVIDE A PENALTY FOR THE FAILURE TO POST THE INFORMATION; AND TO AMEND SECTION 16-3-2050, RELATING TO THE INTERAGENCY TASK FORCE FOR THE PREVENTION OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE MEMBERSHIP OF THE TASK FORCE.

The House returned the Bill with amendments.

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

Senator HUTTO explained the House amendments.

Senator HUTTO proposed the following amendment (JUD0196.003), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 beginning on page 4, line 36 and inserting:

/ SECTION 3. Section 16-3-2010(7) of the 1976 Code, as added by Act 258 of 2012, is amended to read:

“(7) ‘Sex trafficking’ means the recruitment, harboring, transportation, provision, or obtaining of a person for one of the following when it is induced by force, fraud, or coercion or the person ~~forced to perform~~ performing the act is under the age of eighteen years and anything of value is given, promised to, or received, directly or indirectly, by another person:

- (a) criminal sexual conduct pursuant to Section 16-3-651;
- (b) criminal sexual conduct in the first degree pursuant to Section 16-3-652;
- (c) criminal sexual conduct in the second degree pursuant to Section 16-3-653;
- (d) criminal sexual conduct in the third degree pursuant to Section 16-3-654;

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(e) criminal sexual conduct with a minor pursuant to Section 16-3-655;

(f) engaging a child for sexual performance pursuant to Section 16-3-810;

~~(g) performance pursuant to Section 16-3-800;~~

~~(h)~~(g) producing, directing, or promoting sexual performance by a child pursuant to Section 16-3-820;

~~(i)~~(h) sexual battery pursuant to Section 16-3-651;

~~(j)~~(i) sexual conduct pursuant to Section 16-3-800; or

~~(k)~~(j) sexual performance pursuant to Section 16-3-800.”/

Amend the bill further, as and if amended, by adding, on page 5 line 20:

/ SECTION 4. Section 16-3-2020 of the 1976 Code is amended to read:

“Section 16-3-2020. (A) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, knowing that the victim will be subjected to sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in this subsection, is guilty of trafficking in persons.

(B) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, for the purposes of sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in subsection (A), is guilty of trafficking in persons.

(C) For a first offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than fifteen years.

(D) For a second offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years.

(E) For a third or subsequent offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than forty-five years.

(F) If the victim of an offense contained in this section is under the age of eighteen, an additional term of fifteen years may be imposed in addition and must be consecutive to the penalty prescribed for a violation of this section.

(G) A person who aids, abets, or conspires with another person to violate the criminal provisions of this section must be punished in the same manner as provided for the principal offender and is considered a

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trafficker. A person is considered a trafficker if the person solicits or participates in prostitution with another person knowing that the other person is a victim of trafficking in persons.

(H) A business owner who uses his business in a way that participates in a violation of this article, upon conviction, must be imprisoned for not more than ten years in addition to the penalties provided in this section for each violation.

(I) A plea of guilty or the legal equivalent entered pursuant to a provision of this article by an offender entitles the victim of trafficking in persons to all benefits, rights, and compensation granted pursuant to Section 16-3-1110.

(J) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if the offenses were committed as a direct result of, or incidental or related to, trafficking. A victim of trafficking in persons convicted of a violation of this article or prostitution may motion the court to vacate the conviction and expunge the record of the conviction. The court may grant the motion on a finding that the person's participation in the offense was a direct result of being a victim. A victim of trafficking in persons is not subject to prosecution pursuant to this article or prostitution, if the victim was a minor at the time of the offense and committed the offense as a direct result of, or incidental or related to, trafficking.

(K) Evidence of the following facts or conditions do not constitute a defense in a prosecution for a violation of this article, nor does the evidence preclude a finding of a violation:

~~(1) the victim's sexual history or history of commercial sexual activity, the specific instances of the victim's sexual conduct, opinion evidence of the victim's sexual conduct, and reputation evidence of the victim's sexual conduct;~~

~~(2)~~(1) the victim's connection by blood or marriage to a defendant in the case or to anyone involved in the victim's trafficking;

~~(3)~~(2) the implied or express consent of a victim to acts which violate the provisions of this section do not constitute a defense to violations of this section;

~~(4)~~(3) age of consent to sex, legal age of marriage, or other discretionary age; and

~~(5)~~(4) mistake as to the victim's age, even if the mistake is reasonable.

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(L) A victim's sexual history or history of commercial sexual activity, the specific instances of a victim's sexual conduct, opinion evidence of a victim's sexual conduct, and reputation evidence of a victim's sexual conduct are not admissible by a defendant in a criminal action.

~~(L)~~(M) A person who violates the provisions of this section may be prosecuted by the State Grand Jury, pursuant to Section 14-7-1600, when a victim is trafficked in more than one county or a trafficker commits the offense of trafficking in persons in more than one county.”

SECTION 5. Section 16-3-2030(A) of the 1976 Code is amended to read:

“(A) The principal owners of a business, a business entity, including a corporation, partnership, charitable organization, or another legal entity, that knowingly aids or participates in an offense provided in this article is criminally liable for the offense and will be subject to a fine or loss of business license in the State, or both. In addition, the court may consider disgorgement of profit from activity in violation of this article and disbarment from state and local government contracts.”

SECTION 6. Section 16-3-2040(D) of the 1976 Code is amended to read:

“(D) Restitution for this section, pursuant to Section 16-3-1270, means payment for all injuries, specific losses, and expenses, including, but not limited to, attorney's fees, sustained by a crime victim resulting from an offender's criminal conduct pursuant to Section 16-3-1110(12)(a). In addition, the court may order an amount representing the value of the victim's labor or services.”

SECTION 7. Section 16-3-2050 of the 1976 Code is amended by adding an appropriately numbered subsection to read:

“( ) To the extent that funds are appropriated, the task force may make grants to or contract with a state agency, local government, or private victims service organization to develop or expand service programs for victims. A recipient of a grant or contract shall report annually to the task force the number and demographic information of all victims receiving services pursuant to the grant or contract.”

SECTION 8. Section 16-3-2060 of the 1976 Code is amended by adding an appropriately numbered subsection to read:

“( ) A victim's sexual history or history of commercial sexual activity, the specific instances of a victim's sexual conduct, opinion evidence of a victim's sexual conduct, and reputation evidence of a

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victim's sexual conduct are not admissible by a defendant in a civil action." /

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

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

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	Jackson	Johnson
Kimpson	Leatherman	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
McElveen	Nicholson	O'Dell
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Thurmond	Turner
Verdin	Williams	Young

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**Total--42**

**NAYS**

**Total--0**

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

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

S. 295 -- Senator Alexander: A BILL TO AMEND SECTION 12-54-250 OF THE 1976 CODE, RELATING TO THE REQUIREMENT OF PAYMENT IN IMMEDIATELY AVAILABLE FUNDS, TO CHANGE THE REQUIREMENT FROM FIFTEEN THOUSAND DOLLARS TO ONE THOUSAND DOLLARS, AND TO REQUIRE THE SETTLEMENT OF THOSE FUNDS IN THE STATE'S ACCOUNT ON OR BEFORE TWO BANKING DAYS FOLLOWING THE DUE DATE OF THE TAX AS PROVIDED BY LAW.

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

S. 76 -- Senators Massey, Matthews and Setzler: A BILL TO AMEND SECTION 12-10-85 OF THE 1976 CODE, RELATING TO RURAL INFRASTRUCTURE FUND GRANTS, TO PROVIDE THAT GRANTS MAY ALSO BE AWARDED TO COUNTIES WITH A POPULATION OF LESS THAN FORTY THOUSAND RESIDENTS AND MUNICIPALITIES LOCATED IN COUNTIES WITH A POPULATION OF LESS THAN FORTY THOUSAND RESIDENTS.

Senator MASSEY explained the Bill.

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

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

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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, 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 CAMPSER, the Bill was carried over.

**AMENDMENT PROPOSED  
DEBATE INTERRUPTED**

S. 179 -- Senators L. Martin and Hembree: A BILL TO AMEND SECTION 61-6-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF ALCOHOLIC LIQUORS, SO AS TO INCLUDE POWDERED OR CRYSTALLINE ALCOHOLS WHEN HYDROLYZED IN THE DEFINITION OF ALCOHOLIC LIQUORS AND TO AMEND SECTION 61-6-4157, RELATING TO THE PROHIBITION TO POSSESS, USE, SELL, OR PURCHASE POWDERED ALCOHOL, SO AS TO INCLUDE BOTH POWDERED AND CRYSTALLINE ALCOHOL WHEN HYDROLYZED.

The Senate proceeded to a consideration of the Bill.

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Senator LARRY MARTIN explained the Bill.

Senator BRYANT proposed the following amendment (179R001.EB.KLB), which was proposed:

Amend the bill, as and if amended, page 2, by striking line 43 and inserting:

/ (D)(1) If the Federal Alcohol and Tobacco Tax and Trade Bureau approves the use, purchase, sale, possession, or manufacturing of powdered alcohol in the United States, this section is repealed within six months of that approval being published on the website of the Federal Alcohol and Tobacco Tax and Trade Bureau.

(2) The Executive Director of the South Carolina Department of Revenue shall notify the Code Commissioner in writing if the conditions specified in subsection (1) occurs.” /

Renumber sections to conform.

Amend title to conform.

The question being the adoption of the amendment.

Senator BRYANT explained the amendment.

Debate was interrupted by adjournment.

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jack Setzer of Lexington, S.C. Jack was a navy veteran and worked over 50 years in the financial industry. He was a man of faith and family that never met a stranger and always made a friend. Jack was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

[SJ]

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**MOTION ADOPTED**

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of The Honorable T. Bruce Smith II of Bishopville, S.C. Former Senator Smith served as Mayor of Bishopville from 1979-1980 and in the South Carolina Senate from 1981-1982. Bruce was an active member of Bethlehem United Methodist Church. He was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 1:43 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 2:00 P.M.

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