

NO. 38

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

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WEDNESDAY, MARCH 18, 2015

**Wednesday, March 18, 2015**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

As Moses and the people traveled in the desert, we recall that:

“When they came to Marah, they could not drink its water because it was bitter.” (Exodus 15:23)

Join me as we bow in prayer:

Holy and Loving God, through the centuries the gift of good water has long been seen as precious. Around the globe even today safe water remains a valued resource. How blessed we are that here in South Carolina our spring fed streams sparkle, our rivers largely flow freely and richly, and our lakes generally teem with aquatic life. We are grateful for Your gift of good water, O God, and we pray that each of these leaders will take seriously the need to do all they can to preserve this rich and life-giving resource. In Your loving name we pray, dear Lord. Amen.

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

**CORRECTION TO THE JOURNAL**

The Vice for the following Statewide appointment was incorrectly noted in the Journals of January 15, 2015 and March 17, 2015 and the entry is corrected as follows:

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2014, and to expire June 30, 2018

6th Congressional District:

Monte A. Lemmon, 117 Lake Dogwood Circle South, Eastover, SC 29044 *VICE*: Bryan H. Dowd (vacated due to redistricting)

**SEATING SELECTION CHANGE ADOPTED**

Senator JOHNSON asked unanimous consent to make a motion that Senators JOHNSON and SHEALY exchange seats.

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The Seating Selection change, as adopted, is as follows:

Seat #43 Senator Shealy  
Seat #46 Senator Johnson

**Motion Adopted**

On motion of Senator O'DELL, with unanimous consent, Senators PEELER, REESE, FAIR, PINCKNEY, HUTTO and O'DELL were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 427 Sen. Williams  
S. 135 Sens. Corbin and Shane Martin  
S. 505 Sen. Hembree  
S. 519 Sens. Allen and Williams  
S. 553 Sen. Campbell  
S. 320 Sens. Hutto, Hayes, Shealy, Turner and L. Martin  
S. 535 Sen. Rankin  
S. 374 Sen. Malloy  
S. 357 Sen. Davis  
S. 391 Sens. Scott, Alexander and Davis  
S. 407 Sen. Young

**RECALLED**

H. 3345 -- Reps. Lucas and Delleney: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 13 AND 15 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2015.

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

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

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**RECALLED**

S. 535 -- Senators Hembree and Rankin: 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 UNITED STATES HIGHWAY 701 "DENNIS E. PHIPPS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

Senator HEMBREE asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

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

**RECALLED**

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.

Senator HEMBREE asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

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

**RECALLED AND ADOPTED**

S. 549 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE THE OUTSTANDING CONTRIBUTIONS SOUTH CAROLINA'S HUMAN RESOURCE PROFESSIONALS MAKE TO OUR STATE AND TO THE BUSINESSES AND INDUSTRIES IN WHICH THEY WORK AND TO DECLARE MARCH 30, 2015, AS

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HUMAN RESOURCE PROFESSIONAL APPRECIATION DAY IN SOUTH CAROLINA.

Senator ALEXANDER asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator ALEXANDER asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

The Resolution was adopted.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 572 -- Senator Thurmond: A SENATE RESOLUTION TO HONOR THE REVEREND DR. BERNARD JOSEPH GADSDEN, SR., PASTOR OF FIRST BAPTIST CHURCH OF JAMES ISLAND, FOR HIS THIRTY YEARS OF GOSPEL MINISTRY AT FIRST BAPTIST, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

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The Senate Resolution was adopted.

S. 573 -- Senator Corbin: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE GUS RUBIO, FOUNDER, OWNER, AND OPERATOR OF GABRIEL BUILDERS IN GREER, ON BEING NAMED 2015 NATIONAL ASSOCIATION OF HOME BUILDERS CUSTOM HOME BUILDER OF THE YEAR.

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The Senate Resolution was adopted.

S. 574 -- Senators Hutto, Shealy, Johnson, Lourie, Campbell, O'Dell and Nicholson: A BILL TO AMEND SECTION 59-32-10, CODE OF

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LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE COMPREHENSIVE HEALTH EDUCATION ACT, SO AS TO DEFINE "MEDICALLY ACCURATE INFORMATION"; TO AMEND SECTION 59-32-20, AS AMENDED, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION PROVIDE COMPREHENSIVE HEALTH EDUCATION UNITS AND SEXUAL ABUSE AND ASSAULT AWARENESS UNITS TO LOCAL SCHOOL DISTRICTS AND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT COMPREHENSIVE HEALTH EDUCATION PROGRAMS, BOTH SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 59-32-60, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION REPORT COMPLY WITH THE REQUIREMENTS OF THE ACT, SO AS TO REQUIRE EACH DISTRICT SHALL PUBLISH ON ITS WEBSITE HEALTH EDUCATION MATERIALS APPROVED, ADOPTED, AND USED IN DISTRICT CLASSROOMS, AND TO PROVIDE A PENALTY FOR NONCOMPLIANCE.

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

S. 575 -- Senator L. Martin: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 23, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSING PERSON INFORMATION CENTER, BY ADDING SECTION 23-3-340, SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM.

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

S. 576 -- Senators Young, McElveen and Turner: A BILL TO AMEND TITLE 15 OF THE 1976 CODE, RELATING TO CIVIL REMEDIES AND PROCEDURES, TO ENACT THE TRESPASSER

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RESPONSIBILITY ACT, TO ADD DEFINITIONS TO BE USED IN THAT SECTION, TO PROVIDE A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS, AND TO PROVIDE EXCEPTIONS.

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

H. 3142 -- Reps. Ryhal, Clemmons, Hixon, Felder, Dillard, Knight and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3715 SO AS TO REGULATE THE OPERATION OF A MOPED ALONG CERTAIN PUBLIC ROADS; AND TO AMEND SECTIONS 56-5-3710, 56-5-3720, AND 56-5-3730, RELATING TO THE OPERATION OF A MOPED ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT BOTH A PERSON OPERATING A MOPED AND HIS PASSENGER MUST WEAR REFLECTIVE VESTS, TO REQUIRE THAT A MOPED SOLD IN THIS STATE MUST BE EQUIPPED WITH A REAR RED TAIL LIGHT THAT FLASHES CONTINUALLY WHILE THE MOPED IS IN MOTION, AND TO REQUIRE A MOPED'S REAR RED TAIL LIGHT THAT FLASHES CONTINUALLY TO BE TURNED ON AT ALL TIMES WHILE THE MOPED IS IN OPERATION.

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

H. 3701 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

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.

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

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H. 3787 -- Reps. King, Felder, Norman and Pope: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF TWO OR FEWER DAYS THAT SCHOOLS IN YORK 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.

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

H. 3826 -- Reps. Parks, Pitts, Riley, 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, 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, Neal, Newton, Norman, Norrell, Ott, Pope, Putnam, Quinn, Ridgeway, 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 RECOGNIZE AND HONOR MAJOR KEVIN FALLAW UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-FIVE YEARS OF OUTSTANDING SERVICE WITH THE CITY OF GREENWOOD POLICE DEPARTMENT AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

H. 3827 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE

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SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE HONORABLE THOMAS BRUCE SMITH II OF LEE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

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

H. 3834 -- Rep. Funderburk: A CONCURRENT RESOLUTION TO CONGRATULATE THE CAMDEN REVOLUTIONARY WAR INTERPRETIVE SIGNAGE PROJECT ON BEING NOMINATED FOR THE NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION (NSDAR) HISTORIC PRESERVATION RECOGNITION AWARD AND THE COMMITTEE'S CHAIRMAN, WILLARD POLK, ON BEING NOMINATED FOR THE NSDAR HISTORIC PRESERVATION MEDAL.

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

H. 3855 -- Reps. V. S. Moss, D. C. Moss, Allison, Tallon, Anthony, Chumley, Hicks, Mitchell, Cole and Forrester: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SIGNIFICANT SERVICE OF BROAD RIVER ELECTRIC COOPERATIVE OF GAFFNEY AND TO CONGRATULATE THE ORGANIZATION ON ITS SEVENTY-FIFTH ANNIVERSARY OF PROVIDING ELECTRICITY IN THE PALMETTO STATE.

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

H. 3856 -- Reps. Lucas, 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, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J.

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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 RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE INDEPENDENT COLLEGES AND UNIVERSITIES IN SOUTH CAROLINA DURING "INDEPENDENT COLLEGE AND UNIVERSITY WEEK," APRIL 13-17, 2015, AND ON "INDEPENDENT COLLEGE AND UNIVERSITY DAY," APRIL 15, 2015, FOR THEIR OUTSTANDING CONTRIBUTIONS IN EDUCATING OUR STATE'S AND NATION'S FUTURE LEADERS.

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

H. 3857 -- Rep. Simrill: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. DEBRA BOYD FOR HER OUTSTANDING CONTRIBUTIONS TO WINTHROP UNIVERSITY AND TO EXPRESS PROFOUND APPRECIATION FOR HER EXCEPTIONAL LEADERSHIP DURING DIFFICULT DAYS FOR ONE OF THE STATE'S MOST DISTINGUISHED INSTITUTIONS.

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

H. 3858 -- Reps. George, Duckworth, Anderson, Clemmons, H. A. Crawford, Hardee, Hardwick, Hayes, Johnson, Ryhal, Alexander, Allison, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clyburn, Cobb-Hunter, Cole, Collins, Corley, Crosby, Daning, Delleney, Dillard, Douglas, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, Gilliard, Goldfinch, Govan, Hamilton, Hart, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, 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,

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Rutherford, 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 SALUTE THE ALABAMA THEATRE FOR PRESENTING WORLD-CLASS ENTERTAINMENT IN NORTH MYRTLE BEACH FOR OVER TWO DECADES, THEREBY ATTRACTING THOUSANDS TO SOUTH CAROLINA'S CELEBRATED GRAND STRAND.

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

**REPORTS OF STANDING COMMITTEES**

Senator MASSEY from the Committee on Judiciary submitted a majority favorable and Senator HUTTO a minority unfavorable report on:

S. 30 -- Senators Grooms, Hembree, Verdin, Young and Cleary: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED RESTRICTED TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

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

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AND REMIT SALES AND USE TAX ON ALL TAXABLE RETAIL SALES, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Senator MASSEY from the Committee on Judiciary submitted a majority favorable and Senator HUTTO a minority unfavorable report on:

S. 198 -- Senators Grooms, Verdin, Campbell and Hembree: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED BY CONGRESS RESTRICTED TO PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS.

Ordered for consideration tomorrow.

Senator THURMOND from the Committee on Judiciary submitted a favorable report on:

S. 237 -- Senators Allen, Corbin and Thurmond: A JOINT RESOLUTION TO CONTINUE THE "STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES" UNTIL DECEMBER 31, 2015.

Ordered for consideration tomorrow.

Senator COURSON from the Committee on Education submitted a majority favorable with amendment and Senator GROOMS a minority unfavorable report on:

S. 320 -- Senator Malloy: A BILL TO AMEND CHAPTER 32, TITLE 59 OF THE 1976 CODE, RELATING TO THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, BY AMENDING SECTION 59-32-30 TO REQUIRE INSTRUCTION IN CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR TO ALL STUDENTS ENROLLED IN THE SCHOOL DISTRICT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL.

Ordered for consideration tomorrow.

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**MINORITY REPORT REMOVED**

Senator GROOMS asked unanimous consent to remove his name from the minority report of the Bill.

There was no objection and proper notation was made on the Bill.

Senator MASSEY from the Committee on Judiciary submitted a favorable with amendment report on:

S. 426 -- Senator Sheheen: A BILL TO AMEND TITLE 14 OF THE 1976 CODE, RELATING TO COURTS, BY ADDING CHAPTER 31, TO ESTABLISH A MENTAL HEALTH COURT PROGRAM, TO PROVIDE FOR A SYSTEM THAT DIVERTS MENTALLY ILL OFFENDERS TO APPROPRIATE TREATMENT PROGRAMS RATHER THAN INCARCERATION, TO PROVIDE FOR ELIGIBILITY TO PARTICIPATE IN MENTAL HEALTH COURT, TO PROVIDE THAT EXISTING MENTAL HEALTH COURTS ESTABLISHED PURSUANT TO AN ADMINISTRATIVE ORDER OF THE SUPREME COURT SHALL CONTINUE IN EXISTENCE, TO PROVIDE THAT EACH SOLICITOR MUST ESTABLISH A PROGRAM, TO PROVIDE FOR QUALIFICATIONS FOR SERVICE AS A MENTAL HEALTH COURT JUDGE, TO PROVIDE THAT MENTAL HEALTH COURT JUDGES HAVE THE SAME PROTECTIONS FROM CIVIL LIABILITY AND IMMUNITY AS OTHER JUDICIAL OFFICERS IN THIS STATE; AND TO PROVIDE THAT SOLICITORS WHO ACCEPT STATE FUNDING FOR THE PROGRAM MUST ESTABLISH IT WITHIN ONE HUNDRED EIGHTY DAYS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 460 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-370 SO AS TO PROVIDE THAT A COUNTY IN THIS STATE MAY ALLOW A TAXPAYER THE OPTION TO RECEIVE CERTAIN PROPERTY TAX BILLS AND RECEIPTS IN ELECTRONIC FORM, TO REQUIRE A PARTICIPATING COUNTY TO MAINTAIN PROOF THAT AN EMAIL WAS SENT TO A TAX PAYER, AND TO REQUIRE A PARTICIPATING COUNTY TO CREATE AN APPLICATION PROCESS AND TO PUBLISH THE APPLICATION PROCESS.

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Ordered for consideration tomorrow.

**Appointment Reported**

Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable report on:

**Statewide Appointment**

Reappointment, Juvenile Parole Board, with the term to commence June 30, 2015, and to expire June 30, 2019

At-Large:

Kimberly H. Frederick, 110 Oak Drive North, Surfside Beach, SC 29575

Received as information.

**Message from the House**

Columbia, S.C., March 18, 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. 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 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,

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RELATING TO THE INTERAGENCY TASK FORCE FOR THE PREVENTION OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE MEMBERSHIP OF THE TASK FORCE.

Very respectfully,  
Speaker of the House

Received as information.

**S. 196--CONFERENCE COMMITTEE APPOINTED**

Whereupon, Senators HUTTO, SHANE MARTIN and THURMOND were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., March 18, 2015

Mr. President and Senators:

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

H. 3118 -- Reps. Pitts and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-525 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; BY ADDING SECTION 50-11-580 SO AS TO ESTABLISH MALE WILD TURKEY HUNTING SEASON AS MARCH 20 THROUGH MAY 5, DECLARE THE SATURDAY PRECEDING MARCH 20 OF EACH YEAR TO BE "SOUTH CAROLINA YOUTH TURKEY HUNTING DAY" AND PROVIDE A PROCEDURE FOR YOUTH TURKEY HUNTING ON THIS DAY, TO PROVIDE A WILD TURKEY BAG LIMIT, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO REPORT TO THE GENERAL ASSEMBLY CERTAIN WILD TURKEY RESOURCES INFORMATION INCLUDING RECOMMENDATIONS REGARDING THE SEASON AND THE BAG LIMITS; TO AMEND 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 DEPARTMENT'S AUTHORITY TO REGULATE THE HUNTING OF WILD

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TURKEYS, 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 TURKEYS, 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; AND TO SUSPEND THE PROVISIONS OF SECTION 50-11-520 UPON THE EFFECTIVE DATE OF THE ACT UNTIL NOVEMBER 7, 2018, WHEN SECTION 50-11-580 IS REPEALED.

asks for a Committee of Conference, and has appointed Reps. Pitts, Ott and Hixon to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**H. 3118--CONFERENCE COMMITTEE APPOINTED**

Whereupon, Senators CAMPSER, COLEMAN and SHANE MARTIN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**HOUSE CONCURRENCE**

S. 507 -- Senator L. Martin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH CAROLINA ASSOCIATION OF FAMILY AND CONSUMER SCIENCES ON THE OCCASION OF ONE HUNDRED ONE YEARS OF OPERATING IN THE STATE OF SOUTH CAROLINA, TO COMMEND THE DEDICATED SERVICE THAT THE ASSOCIATION HAS GIVEN TO THE CITIZENS OF THIS STATE, AND TO DECLARE MARCH 18, 2015, AS "SOUTH CAROLINA ASSOCIATION OF FAMILY AND CONSUMER SCIENCES DAY" IN THE STATE.

Returned with concurrence.

Received as information.

S. 510 -- Senator Matthews: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE COURAGE AND SACRIFICE OF THE ELLOREE 21 IN ORANGEBURG COUNTY, A GROUP OF TEACHERS IN ELLOREE WHO CHANGED THE COURSE OF

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HISTORY OF THE CIVIL RIGHTS MOVEMENT IN SOUTH CAROLINA, AND TO COMMEND THEIR ROLE IN SECURING EQUALITY FOR AFRICAN-AMERICAN CITIZENS OF OUR STATE.

Returned with concurrence.

Received as information.

S. 551 -- Senators Courson and Davis: A CONCURRENT RESOLUTION TO HONOR AND CONGRATULATE THE MARINE CORPS RECRUIT DEPOT AT PARRIS ISLAND OF THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY, AND TO EXPRESS INFINITE GRATITUDE FOR ITS PROFOUND IMPACT ON THIS STATE AND ITS INDISPENSABLE ROLE IN THE DEFENSE OF OUR NATION.

Returned with concurrence.

Received as information.

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

**READ THE THIRD TIME  
SENT TO THE HOUSE**

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

S. 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;

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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 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.

S. 374 -- Senators Campsen, Bryant, Verdin, Cromer, Bright, L. Martin, Setzler and Courson: A BILL TO AMEND SECTION 2-20-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL ASSEMBLY'S PROCESS OF SCREENING NONJUDICIAL CANDIDATES, SO AS TO ELIMINATE THE REQUIREMENT THAT THE HEARING BE CONDUCTED NO LATER THAN TWO WEEKS PRIOR TO THE DATE SET FOR THE ELECTION, TO PROVIDE THAT CANDIDATES MAY NOT OBTAIN PLEDGES OR COMMITMENTS UNTIL THE TWELFTH DAY AFTER THE NAMES OF THE NOMINEES HAVE BEEN RELEASED, AND TO REQUIRE THAT A PERIOD OF TWENTY-TWO DAYS ELAPSE BETWEEN THE DATE THE REPORT OF

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NOMINATIONS IS RELEASED AND THE TIME SET FOR THE ELECTION.

S. 436 -- Senators Campsen, Setzler, L. Martin, Malloy, Hayes and Gregory: A BILL TO AMEND SECTION 2-19-70(C), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD FOR SEEKING OR GIVING A PLEDGE, SO AS TO PROVIDE THAT PLEDGES FOR JUDICIAL CANDIDATES MAY NOT BE DIRECTLY OR INDIRECTLY SOUGHT OR GIVEN UNTIL TWELVE DAYS, RATHER THAN FORTY-EIGHT HOURS, AFTER THE INITIAL RELEASE OF THE REPORT CONCERNING NOMINEES TO MEMBERS OF THE GENERAL ASSEMBLY; AND TO AMEND SECTION 2-19-80(E), RELATING TO THE TIME BETWEEN THE RELEASE OF THE COMMISSION'S REPORT ON NOMINATIONS TO THE GENERAL ASSEMBLY AND THE ELECTION OF JUDGESHIPS, SO AS TO PROVIDE THAT THERE BE A PERIOD OF AT LEAST TWENTY-TWO DAYS, RATHER THAN TWO WEEKS, AFTER THE TIME THE REPORT IS PRINTED IN THE JOURNALS AND THE TIME OF THE ELECTION.

S. 555 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF NURSING, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4510, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED  
READ THE SECOND TIME**

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

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

Senator CLEARY asked unanimous consent to make a motion to proceed to a consideration of the Bill.

The Senate proceeded to a consideration of the Bill.

Senator CLEARY proposed the following amendment (BH\357C003.BH.VR15), which was adopted:

Amend the Committee Amendment, as and if amended, page [357-1], by striking lines 26-28 and inserting:

//

/ pursuant to Section 15-1-310, mutatis mutandis. For purposes of this section, a health care provider includes a dentist maintaining a restricted volunteer license pursuant to Section 40-15-177, a practitioner maintaining a special volunteer license pursuant to Section 40-47-34, and a chiropractor maintaining a special volunteer license pursuant to Section 40-9-85." /

//

Amend the Committee Amendment further, as and if amended, page [357-1], by striking lines 35-38 and inserting:

//

/ compensation.

(B) For purposes of this section, a health care provider includes a dentist maintaining a restricted volunteer license pursuant to Section 40-15-177, a practitioner maintaining a special volunteer license pursuant to Section 40-47-34, and a chiropractor maintaining a special volunteer license pursuant to Section 40-9-85." /

//

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

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The question then being the adoption of the committee amendment as amended.

The Committee on Medical Affairs proposed the following amendment (BH\357C002.BH.VR15), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 7 and inserting:

/ pursuant to Section 15-1-310, mutatis mutandis. For purposes of this section, a health care provider also includes a restricted volunteer dentist as defined in Section 40-15-177.” /

Amend the bill further, as and if amended, page 2, by striking line 24 and inserting:

/ “Section 38-79-30. (A) No licensed health care provider, as /

Amend the bill further, as and if amended, page 2, by striking line 39 and inserting:

/ compensation.

(B) For purposes of this section, a health care provider also includes a restricted volunteer dentist as defined in Section 40-15-177.” /

Re-number sections to conform.

Amend title to conform.

The question then was second reading of the Bill.

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

**Ayes 45; 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
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
Matthews	McElveen	Nicholson
O'Dell	Peeler	Pinckney
Rankin	Reese	Sabb
Scott	Setzler	Shealy

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Sheheen	Thurmond	Turner
Verdin	Williams	Young

**Total--45**

**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**

S. 381 -- Senators Shealy, Bright, Turner, Johnson, Young, Jackson, Grooms, Sabb, Thurmond, Massey, Allen, Sheheen, Davis, Hembree, L. Martin, Bryant, Peeler, Alexander, Lourie, Cromer and Setzler: A BILL TO AMEND SECTION 8-11-620(A)(1) OF THE 1976 CODE, RELATING TO LEAVE AND LUMP-SUM PAYMENTS UPON TERMINATION OF EMPLOYMENT, TO PROVIDE THAT ANY PUBLIC EMPLOYEE WHO IS TERMINATED WITHIN ONE YEAR OF FULL RETIREMENT SHALL HAVE FIVE DAYS AFTER TERMINATION TO PURCHASE THE REMAINING TIME.

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

Senator GROOMS explained the Bill.

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

**Ayes 45; 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
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey

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Matthews	McElveen	Nicholson
O'Dell	Peeler	Pinckney
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Thurmond	Turner
Verdin	Williams	Young

**Total--45**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 391 -- Senators Young, Massey, Turner, Thurmond, Johnson, McElveen, Shealy, Hembree, Cromer, Scott and Setzler: A BILL TO AMEND SECTION 59-112-50 OF THE 1976 CODE, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN-STATE TUITION RATES, AND TO DEFINE RELATED TERMINOLOGY.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (391R002.EB.JEC), which was adopted:

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

/ SECTION 1. Section 59-112-50(B) of the 1976 Code is amended to read:

“(B)(1) Active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents for courses that are presented on a distance basis, regardless of residency.

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~~(B)~~(2) For purposes of this section, ‘active duty military personnel’ includes, but is not limited to, active duty guardsmen and active duty reservists.

(C)(1) Notwithstanding any other provision of law, a covered individual enrolled in a public institution of higher education and receiving educational assistance under Chapter 30 and Chapter 33, Title 38 of the United States Code are entitled to pay in-state tuition and fees without regard to the length of time the covered individual has resided in this State.

(2) For purposes of this subsection a covered individual is defined as:

(a) a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within three years of discharge; or

(b) a person who is entitled to and receiving assistance under Section 3311(b)(9) or 3319, Title 38 of the United States Code by virtue of the person’s relationship to the veteran described in subsection (2)(a) of this section.

(3) A covered individual must live in this State while enrolled at the in-state institution.

(4) At the conclusion of the applicable three year period in subsection (C)(2)(a), a covered individual shall remain eligible for in-state rates as long as he remains continuously enrolled in an in-state institution or transfers to another in-state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in-state institution. In the event of a transfer, the in-state institution receiving the covered individual shall verify the covered individual’s eligibility for in-state rates with the covered individual’s prior in state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in-state institution.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

Senator SETZLER explained the amendment.

The question then was second reading of the Bill.

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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	Johnson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	Matthews
McElveen	Nicholson	O'Dell
Peeler	Pinckney	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.

**READ THE SECOND TIME**

S. 407 -- Senator Bryant: A BILL TO AMEND SECTION 41-27-265(A) AND (B) OF THE 1976 CODE, RELATING TO THE CORPORATE OFFICERS EXEMPTION FROM UNEMPLOYMENT BENEFITS ABSENT EMPLOYER ELECTION, TO PROVIDE THAT CORPORATE OFFICERS ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE CORPORATION ELECTS TO OPT OUT OF THE COVERAGE AND TO PROVIDE FOR THE OPT OUT PROCESS, TO PROVIDE THAT THE SECTION ALSO APPLIES TO INDIVIDUALS WHO OWN TWENTY-FIVE PERCENT OR MORE

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STOCK IN A CORPORATION OR OTHERWISE EXERCISE AN OWNERSHIP INTEREST IN A CORPORATION, TO PROVIDE THAT PERSONS WITH A TWENTY-FIVE PERCENT OWNERSHIP INTEREST IN ANY OTHER BUSINESS ENTITY FORMED UNDER THE LAWS OF THIS STATE ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE BUSINESS ENTITY ELECTS TO OPT OUT OF THE COVERAGE; TO AMEND CHAPTER 41, TITLE 41 TO INCREASE PENALTIES FOR VIOLATIONS OF PROVISIONS CONTAINED IN CHAPTERS 27 THROUGH 41 OF TITLE 41 AND TO DEFINE NECESSARY TERMS.

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

Senator BRYANT explained the Bill.

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

**Ayes 44; Nays 1**

**AYES**

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

**Total--44**

**NAYS**

Kimpson

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25

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Total--1

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

H. 3323 -- Reps. V.S. Moss, Ott, Hiott, Hixon and Jefferson: A BILL TO AMEND CHAPTER 23, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA NOXIOUS WEED ACT" SO AS TO DELETE THE TERM "COMMISSIONER" AND REPLACE IT WITH THE TERM "COMMISSION", TO REVISE THE DEFINITION OF THE TERMS "COMMISSION", "AUTHORIZED INSPECTOR", AND "NOXIOUS WEED", TO PROVIDE A DEFINITION FOR THE TERM "DIRECTOR", TO MAKE TECHNICAL CHANGES, AND TO DELETE THE TERM "SOUTH CAROLINA DEPARTMENT OF AGRICULTURE" AND REPLACE IT WITH THE TERM "DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS, CLEMSON UNIVERSITY"; AND TO ESTABLISH THE POWERS AND DUTIES OF THE STATE CROP PEST COMMISSION AND THE DIRECTOR OF THE REGULATORY AND PUBLIC SERVICE PROGRAMS, CLEMSON UNIVERSITY.

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (3323R001.EB.DBV), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 1-3 and inserting:

/ (a) ~~'Commissioner'~~ 'Commission' means the ~~Commissioner of Agriculture~~ State Crop Pest Commission of South Carolina or any other person to whom authority may be delegated to act in ~~his~~ its stead. /

Amend the bill further, as and if amended, page 2, by striking lines 28-29 and inserting:

/ as ~~he~~ it deems appropriate, any noxious weed or any product or article of any character whatsoever or any means of conveyance which ~~he~~ it /

Amend the bill further, as and if amended, page 3, by striking lines 26-35 and inserting:

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/ emergency regulations as ~~he~~ it deems necessary to prevent the introduction into or the dissemination within the State of noxious weeds.

Section 46-23-40. (a) The ~~Commissioner~~ commission is authorized and directed to quarantine any county, or any portion thereof, when ~~he~~ it deems that such quarantine is necessary to prevent the spread of any noxious weed. Before such quarantine is established, the ~~Commissioner~~ commission shall give due notice of hearing under such regulations as ~~he~~ it may prescribe. At such hearing, /

Amend the bill further, as and if amended, page 4, by striking lines 23-33 and inserting:

/ product or article of any character whatsoever which ~~he~~ it has reason to believe contains or is contaminated with any noxious weed, to determine whether such person, product, article, or means of conveyance contains or is carrying any noxious weed contrary to this chapter or the regulations promulgated thereunder, and whether any such noxious weed, product, article or means of conveyance contains or is contaminated with any noxious weed or is moving in violation of this chapter or any regulation promulgated thereunder; to stop and inspect, without a warrant, any person, product, article, or means of conveyance moving intrastate and any noxious weed, when ~~he~~ it has reason to believe that such means of conveyance, /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The question then was second reading of the Bill.

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

**Ayes 36; Nays 9**

**AYES**

Alexander	Allen	Bennett
Bryant	Campbell	Campsen
Cleary	Coleman	Corbin
Courson	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Hembree	Hutto
Johnson	Kimpson	Leatherman
Lourie	<i>Martin, Larry</i>	<i>Martin, Shane</i>

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McElveen	Nicholson	O'Dell
Peeler	Pinckney	Rankin
Sabb	Scott	Sheheen
Turner	Verdin	Williams

**Total--36**

**NAYS**

Bright	Malloy	Massey
Matthews	Reese	Setzler
Shealy	Thurmond	Young

**Total--9**

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

**CARRIED OVER**

S. 199 -- Senators Grooms, Hembree, Bennett, Campbell, Verdin, Campsen, Gregory, Johnson, Setzler, Sabb, Nicholson and Scott: A BILL TO AMEND SECTION 56-5-1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION AND CREATE "PEANUT'S LAW", TO PROVIDE A DEFINITION FOR THE TERMS "HIGHWAY WORK ZONE" AND "HIGHWAY WORKER", TO CREATE THE OFFENSES OF "ENDANGERMENT OF A HIGHWAY WORKER", AND TO PROVIDE PENALTIES FOR THESE OFFENSES; TO AMEND SECTION 56-1-720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT "ENDANGERMENT OF A HIGHWAY WORKER" VIOLATIONS RANGE BETWEEN TWO AND SIX POINTS; AND TO REPEAL SECTION 56-5-1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

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

S. 278 -- Senators Hutto, Johnson, Lourie and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY

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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 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.

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

S. 444 -- Senators Gregory, Hayes and Campbell: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE JOB TAX CREDIT, SO AS TO ADD CERTAIN ESTABLISHMENTS TO THE DEFINITION OF “QUALIFYING SERVICE-RELATED FACILITY” IF THE ESTABLISHMENT HAS A NET INCREASE OF AT LEAST ONE THOUSAND NEW FULL-TIME JOBS AT A SINGLE CORPORATE CAMPUS IN THIS STATE, WITH AN AVERAGE CASH COMPENSATION LEVEL OF AT LEAST ONE AND ONE-HALF TIMES EITHER THE STATE OR COUNTY PER CAPITA INCOME.

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

S. 564 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DEFINED PROGRAM 6-8, DESIGNATED AS REGULATION DOCUMENT NUMBER 4476, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HAYES explained the Joint Resolution.

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

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S. 565 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DEFINED PROGRAM, GRADES 9-12 AND GRADUATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4477, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 566 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4478, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 567 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ADULT EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4491, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 568 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO PROCEDURES AND STANDARDS FOR REVIEW OF CHARTER SCHOOL APPLICATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4494, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 569 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO PROGRAM FOR ASSISTING, DEVELOPING, AND EVALUATING PRINCIPAL PERFORMANCE

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(PADEPP), DESIGNATED AS REGULATION DOCUMENT NUMBER 4495, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**COMMITTEE AMENDMENT ADOPTED  
CARRIED OVER**

S. 276 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-135 SO AS TO REQUIRE APPLICANTS APPLYING TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION FOR LICENSURE AS A RESIDENTIAL BUILDER OR REGISTRATION AS A RESIDENTIAL SPECIALTY CONTRACTOR TO DISCLOSE AND DESCRIBE ANY CRIMINAL CONVICTIONS, EXCEPT FOR MINOR TRAFFIC VIOLATIONS, ON HIS APPLICATION, TO PROVIDE THE COMMISSION SHALL REQUIRE AN APPLICANT FOR INITIAL LICENSURE TO SUBMIT TO A FINGERPRINT-BASED CRIMINAL BACKGROUND CHECK IN THIS STATE AND IN ANY STATE WHERE HE DISCLOSES HAVING A CONVICTION, TO PROVIDE SIMILAR REQUIREMENTS FOR APPLICANTS SEEKING RENEWALS, TO IMPOSE RELATED ADMINISTRATIVE REQUIREMENTS ON THE COMMISSION, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE AN ADDITIONAL PENALTY FOR FAILING TO DISCLOSE CONVICTIONS REQUIRING REGISTRATION AS A SEX OFFENDER.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (BH\276C001.BH.AB15), which was adopted:

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

/ SECTION 1. Article 1, Chapter 59, Title 40 of the 1976 Code is amended by adding:

“Section 40-59-135. (A)(1)(a) A person applying to the department for licensure or renewal as a residential builder or registration as a residential specialty contractor must disclose on his application whether he has been found guilty of any criminal offense, excluding minor traffic violations, regardless of when or where the conviction occurred. The applicant also must describe the nature, date, and location of each

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conviction, if any, along with a written explanation, and must specifically indicate if a conviction required him to register as a sex offender.

(b) The department shall require each applicant for initial licensure or registration to remit, at his expense, a fingerprint-based statewide criminal background check from this State. If an applicant discloses a conviction in another state on his application, the department also shall require the applicant to remit, at his expense, a fingerprint-based, statewide criminal background check from that state, if the conviction occurred in the United States, along with a written explanation.

(2) A person who became licensed by the department as a residential builder or registered as a residential specialty contractor with the department before the effective date of this section must disclose on his first application for renewal made after the effective date of this section whether he has been found guilty of any criminal offense, excluding minor traffic violations, regardless of when or where the conviction occurred. The applicant also must describe the nature, date, and location of each conviction, if any, and must specifically indicate if a conviction required him to register as a sex offender. At the first renewal of an applicant following the effective date of this act, the department also shall require an applicant to remit, at his expense, a fingerprint-based statewide criminal background check from this State, and if an applicant discloses a conviction in another state on his application, the department also shall require the applicant to remit, at his expense, a fingerprint-based statewide criminal background check from that state along, if the conviction occurred in the United States, with a written explanation.

(B) The department shall retain any criminal background check report remitted pursuant to the section for at least three years after the applicant ceases to be licensed or registered with the department.

(C) In addition to other penalties provided in this chapter, failure to comply with the provisions of this section is a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than ten thousand dollars or imprisoned for not less than thirty days, or both. Additionally, failure to disclose a conviction for which a person must register as a sex offender carries is a separate violation that also is a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than ten thousand dollars or imprisoned for not less than thirty days, or both.”

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SECTION 2. This act takes effect upon approval by the Governor. /  
Re-number sections to conform.  
Amend title to conform.

Senator O'DELL explained the amendment.

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

**COMMITTEE AMENDMENT ADOPTED  
CARRIED OVER**

S. 437 -- Senators Campsen, Reese, Gregory, Hutto, Cleary, Campbell, Cromer, Young, Bryant, Williams, Bennett, Johnson, Hembree, O'Dell, Davis, Fair, Hayes and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-240 SO AS TO ENACT THE "JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE" TO REQUIRE ALL STUDENTS OF PUBLIC OR CHARTER SCHOOLS OR PERSONS PURSUING A GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE IN THIS STATE TO TAKE THE UNITED STATES CITIZENSHIP CIVICS TEST PRODUCED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, TO DIRECT SCHOOL DISTRICTS TO AWARD A CERTIFICATE OF ACHIEVEMENT TO ALL STUDENTS WHO RECEIVE A GRADE OF 60 OR BETTER ON THE TEST, AND TO DIRECT THE RESPECTIVE SCHOOLS TO REPORT RESULTS TO THE SOUTH CAROLINA EDUCATION OVERSIGHT COMMITTEE FOR INCLUSION IN THE REPORT CARD FOR EACH SCHOOL, AS APPLICABLE.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (AGM\437C002.AGM.AB15), which was adopted:

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

/ SECTION 1. This act may be cited as the "James B. Edwards Civics Education Initiative".

SECTION 2. Article 1, Chapter 29, Title 59 of the 1976 Code is amended by adding:

"Section 59-29-240. (A) For purposes of this section, 'civics test' means the one hundred questions that, as of January 1, 2015, and updated

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accordingly, officers of the United States Citizenship and Immigration Services use in order that the applicants can demonstrate a knowledge and understanding of the fundamentals of United States history and the principles and form of United States government, as required by 8 U.S.C. 1423.

(B) As part of the high school curriculum regarding the United States government required credit, students are required to take the civics test, as defined in subsection (A), provided there is no cost to a school or district for obtaining and giving the test, but are not required to obtain a minimum score. However, a student who receives a passing grade or better may be recognized by the school district. This requirement applies to each student enrolled in a public school, including charter schools. This requirement does not apply to a student who is exempted in accordance with the school's individualized program plan.

(C) Each public school, including charter schools, must report the percentage of students at or above the designated passage score on the test to the South Carolina Education Oversight Committee which then must include such on the school report card.

(D) No school or school district of this State may impose or collect any fees or charges in connection with this section.

(E) This section must be applied to any student entering ninth grade beginning in the 2016-2017 school year.”

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor. /  
Re-number sections to conform.

Amend title to conform.

Senator HAYES explained the amendment.

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

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**MINORITY REPORT REMOVED, OBJECTION**

S. 277 -- Senators Alexander, Rankin and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "STATE TELECOM EQUITY IN FUNDING ACT" BY ADDING SECTION 58-9-2515 SO AS TO CLARIFY THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER CERTAIN PROVIDERS REGARDING TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE; BY ADDING SECTION 58-9-2535 SO AS TO PROVIDE FOR THE MANNER OF ASSESSING AND COLLECTING DUAL PARTY RELAY CHARGES BY LOCAL EXCHANGE PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND VOICE OVER INTERNET PROTOCOL SERVICE PROVIDERS, AMONG OTHER THINGS; TO AMEND SECTION 58-9-10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF TELEPHONE SERVICE, SO AS TO REVISE THE DEFINITIONS OF "BASIC LOCAL EXCHANGE TELEPHONE SERVICE" AND "CARRIER OF LAST RESORT"; TO AMEND SECTION 58-9-280, AS AMENDED, RELATING TO THE UNIVERSAL SERVICE FUND FOR CARRIERS OF LAST RESORT, SO AS TO PROVIDE FOR THE TRANSITION OF THE INTERIM LOCAL EXCHANGE CARRIER FUND INTO THE UNIVERSAL SERVICE FUND, TO LIMIT THE SIZE OF THE UNIVERSAL SERVICE FUND, AND TO REQUIRE VOICE OVER INTERNET PROTOCOL PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND PREPAID WIRELESS SERVICE PROVIDERS TO CONTRIBUTE TO THE UNIVERSAL SERVICE FUND; TO AMEND SECTION 58-9-576, AS AMENDED, RELATING TO CERTAIN STAND-ALONE BASIC RESIDENTIAL LINE RATES, SO AS TO PROVIDE FOR THE TERMINATION OF THE RATES FIVE YEARS AFTER THEY BECOME EFFECTIVE; TO AMEND SECTION 58-9-2510, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE, SO AS TO REVISE THESE DEFINITIONS AND PROVIDE ADDITIONAL NECESSARY DEFINITIONS; TO AMEND SECTION 58-9-2530, AS AMENDED, RELATING TO THE OPERATING FUND FOR A SYSTEM OF DUAL PARTY RELAY DEVICES AND RELATED TELECOMMUNICATIONS DEVICES, SO AS TO IMPOSE CERTAIN UNIFORM-RELATED SURCHARGES ON LOCAL

[SJ]

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EXCHANGE PROVIDERS; AND TO REPEAL SECTION 58-9-2540 RELATING TO AN ADVISORY COMMITTEE CONCERNING STATEWIDE TELECOMMUNICATIONS RELAY ACCESS SERVICE.

The Senate proceeded to a consideration of the Bill.

**MINORITY REPORT REMOVED**

Senator MALLOY asked unanimous consent to remove his name from the minority report of the Bill.

There was no objection and proper notation was made on the Bill.

The COMMITTEE ON JUDICIARY proposed the following amendment (JUD0277.003):

Amend the bill, as and if amended, by striking item (10) on page 6, lines 19-29 and inserting:

/ (10) The term ‘carrier of last resort’ means a facilities-based local exchange carrier, as determined by the commission, not inconsistent with the federal Telecommunications Act of 1996, which has the obligation to provide basic local exchange telephone service, upon reasonable request, to all residential and single-line business customers within a defined service or geographic area. A carrier of last resort may meet its obligation by using any available technology of equal or greater service quality than is required by applicable commission regulations as of the effective date of this act, including, but not limited to, the provision of a broadband connection that allows the customer to access the voice provider of the customer’s choice. Initially, the incumbent LEC must be a carrier of last resort within its existing service area.” /

To further amend the bill, as and if amended, by adding appropriately numbered items after item (7) in SECTION 5 on page 10 to read:

/ () A carrier of last resort authorized to receive funds from the USF is subject to random compliance audits and other investigations by the Office of Regulatory Staff, in accordance with Section 58-4-55.

() All carriers of last resort shall retain all records of operations within the jurisdiction of the Office of Regulatory Staff required to demonstrate that the support received was used to support the programs for which it was intended. This documentation must be maintained for at least 10 years from the receipt of the funding. All such documents shall be made available upon request to the Office of Regulatory Staff.

/

Renumber sections to conform.

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Amend title to conform.

Senator RANKIN explained the amendment.

Senator HAYES objected to further consideration of the Bill.

**OBJECTION**

S. 458 -- Senator Alexander: A BILL TO AMEND SECTION 6-9-55(C) OF THE 1976 CODE, RELATING TO THE ENFORCEMENT DATE OF SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE, TO PROVIDE THAT THE ENFORCEMENT DATE IS CHANGED TO JULY 1, 2016, FROM JULY 1, 2015.

Senator ALEXANDER objected to further consideration of the Bill.

**ADOPTED**

S. 548 -- Senator Cleary: A SENATE RESOLUTION TO DECLARE WEDNESDAY, APRIL 15, 2015, AS "SOUTH CAROLINA RECYCLERS' DAY" AND TO COMMEND AND RECOGNIZE SOUTH CAROLINA'S RECYCLERS FOR THEIR CONTRIBUTIONS TO OUR STATE'S ECONOMY, THEIR EFFORTS TO PROMOTE ENERGY EFFICIENCY, AND THEIR LEADERSHIP IN PROVIDING SUSTAINABLE MATERIAL-MANAGEMENT OPTIONS.

The Resolution was adopted

H. 3690 -- Rep. J.E. Smith: A CONCURRENT RESOLUTION TO APPLAUD THE COMMITMENT GIRL SCOUTING HAS MADE TO SUPPORT THE CONTINUED ADVANCEMENT OF GIRLS IN THEIR ROLES AS LEADERS IN SOUTH CAROLINA AND DECLARE MARCH 12, 2015, GIRL SCOUT DAY IN THE PALMETTO STATE.

The Resolution was adopted and ordered returned to the House.

H. 3711 -- Rep. Delleney: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 12, 2015, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

The Resolution was adopted and ordered returned to the House.

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

**MOTION ADOPTED**

At 4:03 P.M., on motion of Senator CROMER, the Senate agreed to dispense with the balance of the Motion Period.

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

**COMMITTEE AMENDMENT ADOPTED**

**DEBATE INTERRUPTED**

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.

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

The Committee on Medical Affairs proposed the following amendment (S-229), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 24 and inserting:

/ for relief and must be afforded a hearing within ~~forty-eight~~ seventy-two hours. /

Renumber sections to conform.

Amend title to conform.

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Senator CAMPBELL explained the committee amendment.  
The committee amendment was adopted.

Debate was interrupted by adjournment.

**Motion Adopted**

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

**ADJOURNMENT**

At 4:28 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

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