

NO. 65

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

MONDAY, MAY 4, 2015

Monday, May 4, 2015
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:30 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:

All of us are familiar with the scriptural command:

“ ‘Give therefore to the emperor the things that are the emperor’s, and to God the things that are God’s.’ ” (Matthew 22:21)

Bow in prayer with me, if you will:

O Lord, as those who seek to be Your faithful servants, we fully realize that we are to honor You in sacrificial ways, making clear by how we live and how we use our resources that You are our highest priority -- always. We further recognize, dear God, that this Senate has an obligation to do what is needed for our State -- for our mutual good. That is why, on behalf of all South Carolinians, we ask this afternoon that You will guide these Senators, Lord, as they wrestle this week with how to best use our State’s financial resources. The challenges before this Senate and the hopes of our citizens are so great. Grant to each of these leaders the wisdom they will need. We pray this with fervent hope, dear Lord. Amen.

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

Leave of Absence

At 1:50 P.M., Senator GROOMS requested a leave of absence for Senator VERDIN until 8:00 P.M.

Leave of Absence

At 1:51 P.M., Senator CAMPBELL requested a leave of absence for Senator CROMER until 6:00 P.M.

Leave of Absence

At 2:19 P.M., Senator McELVEEN requested a leave of absence for the day for Senator KIMPSON.

MONDAY, MAY 4, 2015

Leave of Absence

At 2:20 P.M., Senator SHANE MARTIN requested a leave of absence for the day for Senator BRYANT.

Leave of Absence

On motion of Senator SABB, at 5:25 P.M., Senator ALLEN was granted a leave of absence for today.

RECOMMITTED

S. 708 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO END-OF-COURSE TESTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4530, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 709 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO USE AND DISSEMINATION OF TEST RESULTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4532, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 710 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO TEST SECURITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4531, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 711 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ASSESSMENT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4529,

MONDAY, MAY 4, 2015

PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 733 -- Senator Campsen: A SENATE RESOLUTION TO CONGRATULATE LAING MIDDLE SCHOOL OF SCIENCE AND TECHNOLOGY FOR BEING SELECTED AS A FINALIST FOR THE FLORIDA EDUCATIONAL TECHNOLOGY CENTER STEM EXCELLENCE AWARDS.

l:\s-res\gec\049lain.kmm.gec.docx

The Senate Resolution was adopted.

S. 734 -- Senator Kimpson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE BURKE HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2015 CLASS A STATE CHAMPIONSHIP TITLE.

l:\council\bills\gm\24300cz15.docx

The Senate Resolution was adopted.

S. 735 -- Senator Davis: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE SUN CITY HILTON HEAD UPON THE OCCASION OF ITS TWENTIETH ANNIVERSARY, AND TO COMMEND ITS RESIDENTS FOR THEIR POSITIVE IMPACT IN THE COMMUNITY.

l:\s-res\td\013sun.kmm.td.docx

The Senate Resolution was adopted.

S. 736 -- Senators Jackson, Johnson, McElveen, Allen, Hembree, Cromer, Sabb, Pinckney, Williams, O'Dell, Verdin, Nicholson, Matthews, Coleman and Setzler: A BILL TO AMEND SECTION 16-5-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HINDERING A LAW ENFORCEMENT OFFICER, SO AS TO PROVIDE THAT THE OFFENSE DOES NOT APPLY TO A PERSON WHO PHOTOGRAPHS OR RECORDS A

[SJ]

MONDAY, MAY 4, 2015

LAW ENFORCEMENT OFFICER WHILE THE PERSON IS BEING TEMPORARILY DETAINED.

l:\council\bill\ms\7133ahb15.docx

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

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

l:\council\bill\db\31266cz15.docx

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

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

l:\council\bill\db\31265cz15.docx

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

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

l:\council\bill\db\31264cz15.docx

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

S. 740 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH

[SJ]

MONDAY, MAY 4, 2015

AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR WASTEWATER FACILITY CONSTRUCTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4485, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

I:\council\ills\dfs\31263cz15.docx

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

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

I:\council\ills\dfs\31262cz15.docx

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

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

I:\council\ills\dfs\31261cz15.docx

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

S. 743 -- Senators Matthews, Hutto, Campsen, Johnson and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PORT ENHANCEMENT ZONE ACT"; TO AMEND SECTION 12-6-3360, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3367, RELATING TO THE MORATORIUM ON CERTAIN TAXES FOR CERTAIN TAXPAYERS, SO AS TO EXTEND THE MORATORIUM TO TAXPAYERS CREATING AT LEAST FIFTY FULL-TIME NEW JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION

[SJ]

MONDAY, MAY 4, 2015

12-6-3375, AS AMENDED, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM EIGHT MILLION TO NINE MILLION DOLLARS AND TO PROVIDE THAT ONE MILLION DOLLARS MAY BE AWARDED TO A NEW WAREHOUSE OR DISTRIBUTION FACILITY THAT MEETS CERTAIN REQUIREMENTS AND EMPLOYS AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW EIGHTY-FIVE PERCENT OF THE MAXIMUM CREDIT TO BE CLAIMED BY BUSINESSES LOCATED IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-14-60, RELATING TO THE INVESTMENT TAX CREDIT, SO AS TO DOUBLE THE AMOUNT OF THE CREDIT FOR ANY QUALIFIED MANUFACTURING AND PRODUCTIVE EQUIPMENT PROPERTY LOCATED IN A PORT ENHANCEMENT ZONE; AND TO AMEND SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXTEND THE EXEMPTION FOR MATERIALS HANDLING TO A TAXPAYER THAT INVESTS AT LEAST TWENTY MILLION DOLLARS IN A PORT ENHANCEMENT ZONE, AND TO EXTEND THE EXEMPTION FOR CONSTRUCTION MATERIALS TO A TAXPAYER THAT INVESTS AT LEAST FORTY MILLION DOLLARS, IN REAL AND PERSONAL PROPERTY, IN A PORT ENHANCEMENT ZONE.

I:\council\bill\bbm\9354dg15.docx

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

S. 744 -- Senators Setzler, Courson, Cromer, Shealy and Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR A. LEWIS MCCARTY FOR HIS DISTINGUISHED SERVICE AS LEXINGTON COUNTY'S INTERIM CHIEF LAW ENFORCEMENT OFFICER.

I:\council\bill\rm\1258dg15.docx

The Senate Resolution was adopted.

H. 3062 -- Reps. Goldfinch, G. R. Smith and Pitts: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES AND USE TAX, SO AS TO EXEMPT FROM THESE TAXES GROSS PROCEEDS OF SALES OR SALES PRICE OF

[SJ]

MONDAY, MAY 4, 2015

CHILDREN'S CLOTHING SOLD TO A PRIVATE CHARITABLE ORGANIZATION FOR THE SOLE PURPOSE OF DISTRIBUTION AT NO COST TO NEEDY CHILDREN AND TO DEFINE "CLOTHING" AND "NEEDY CHILDREN".

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

H. 3149 -- Reps. G. M. Smith, G. R. Smith, Cobb-Hunter, Johnson, Whipper and R. L. Brown: A BILL TO AMEND SECTION 12-39-360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COUNTY'S AUTHORITY TO EXTEND THE PAYMENT OF PROPERTY TAXES FOR SERVICE MEMBERS IN OR NEAR A HAZARD DUTY ZONE, SO AS TO REQUIRE EACH COUNTY TO ALLOW FOR A DEFERMENT, TO PROVIDE THE DEFERMENT BEGINS ON THE TAX DUE DATE AND ENDS NINETY DAYS AFTER THE LAST DATE OF DEPLOYMENT, AND TO PROVIDE THAT NO INTEREST MAY BE CHARGED DURING THE DEPLOYMENT UNLESS THE TAX IS NOT PAID WITHIN THE NINETY-DAY GRACE PERIOD.

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

H. 3250 -- Reps. G. M. Smith, Clyburn, Merrill and Anthony: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMINOLOGY FOR THE CERTIFICATE OF NEED PROGRAM, SO AS TO ADD THE TERM "NEW AND EMERGING TECHNOLOGY"; BY ADDING SECTION 44-7-215 SO AS TO ENTITLE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO HAVE ACCESS TO CERTAIN DATA MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 13-7-10, AS AMENDED, RELATING TO THE DEFINITION OF "NONIONIZING RADIATION", SO AS TO CHANGE THE DEFINITION; TO AMEND SECTION 13-7-45, AS AMENDED, RELATING TO REGULATION OF SOURCES OF IONIZING AND NONIONIZING RADIATION, SO AS TO REQUIRE ACCREDITATION OR CERTIFICATION FOR CERTAIN SOURCES OF RADIATION AND TO CHANGE ALLOWABLE FEES; TO AMEND SECTION 44-1-60, AS AMENDED, RELATING TO THE REVIEW OF CERTIFICATE OF NEED DECISIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BY THE BOARD OF HEALTH AND ENVIRONMENTAL

[SJ]

MONDAY, MAY 4, 2015

CONTROL AND REQUESTS FOR CONTESTED CARE HEARINGS IN CERTIFICATE OF NEED CASES, SO AS TO ELIMINATE BOARD REVIEW; TO AMEND SECTION 44-7-120, RELATING TO THE PURPOSE OF THE CERTIFICATE OF NEED PROGRAM, SO AS TO ELIMINATE THE USE OF A STATE HEALTH PLAN; TO AMEND SECTION 44-7-130, AS AMENDED, RELATING TO CERTIFICATE OF NEED PROGRAM DEFINITIONS, SO AS TO REVISE DEFINITIONS FOR "AFFECTED PERSON", "HEALTH SERVICE", "FREESTANDING OR MOBILE TECHNOLOGY", AND "LIKE NEW AND EMERGING TECHNOLOGY WITH SIMILAR CAPABILITIES"; TO AMEND SECTION 44-7-150, AS AMENDED, RELATING TO THE USE OF CERTIFICATE OF NEED FEES, SO AS TO ALLOW THE DEPARTMENT TO RETAIN ALL FEES COLLECTED FOR THE USE OF THE PROGRAM; TO AMEND SECTION 44-7-160, AS AMENDED, RELATING TO CIRCUMSTANCES UNDER WHICH A CERTIFICATE OF NEED IS REQUIRED, SO AS TO CHANGE CERTAIN REQUIREMENTS; TO AMEND SECTION 44-7-170, AS AMENDED, RELATING TO CERTIFICATE OF NEED EXCEPTIONS, SO AS TO ADD NEW EXCEPTIONS AND MAKE CHANGES TO EXISTING EXCEPTIONS; TO AMEND SECTION 44-7-200, AS AMENDED, RELATING TO NOTICE REQUIREMENTS ABOUT CERTIFICATE OF NEED APPLICATIONS, SO AS TO ELIMINATE THE REQUIREMENT FOR PUBLICATION OF NOTICE AND INSTEAD TO REQUIRE THE APPLICANT TO FILE A LETTER OF INTENT WITH THE DEPARTMENT AND TO ELIMINATE THE REFERENCE TO BOARD REVIEW OF DEPARTMENT DECISIONS; TO AMEND SECTION 44-7-210, AS AMENDED, RELATING TO CERTIFICATE OF NEED REVIEW PROCEDURES, SO AS TO ELIMINATE THE REQUIREMENT OF A PUBLIC HEARING, THE APPLICATION OF THE STATE HEALTH PLAN, AND BOARD REVIEW OF DEPARTMENT DECISIONS; TO AMEND SECTION 44-7-220, AS AMENDED, RELATING TO JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS ON CERTIFICATE OF NEED MATTERS, SO AS TO ADD CERTAIN REQUIREMENTS RELATED TO THE AWARD OF ATTORNEY FEES AND COSTS AND TO CHANGE THE DEFINITION OF FRIVOLOUS APPEAL; TO AMEND SECTION 44-7-230, AS AMENDED, RELATING TO LIMITATIONS ON CERTIFICATES OF NEED, SO AS TO SUBSTITUTE THE TERM

[SJ]

MONDAY, MAY 4, 2015

"NEW AND EMERGING TECHNOLOGY" FOR "MEDICAL EQUIPMENT" AND TO ELIMINATE THE ROLE OF THE BOARD; TO AMEND SECTION 44-7-240, RELATING TO CONSTRUCTION PROGRAMS IN THE STATE, SO AS TO ELIMINATE REFERENCE TO THE STATE HEALTH PLAN; TO AMEND SECTION 44-7-1590, RELATING TO PROCEDURES FOR APPROVAL OF HOSPITAL BONDS, SO AS TO ELIMINATE THE RIGHT TO CHALLENGE AN ACTION BY THE DEPARTMENT; TO REPEAL SECTION 44-7-180 RELATING TO THE STATE HEALTH PLANNING COMMITTEE AND THE STATE HEALTH PLAN, AND SECTION 44-7-225 RELATING TO JUDICIAL CONSIDERATION OF THE STATE HEALTH PLAN IN MATTERS BEFORE THE COURT; AND TO REQUIRE THE BOARD TO REVIEW CERTAIN PROJECTS FOR WHICH A CERTIFICATE OF NEED WAS REQUIRED BUT NOT OBTAINED BETWEEN JULY 1, 2013, AND APRIL 14, 2014, TO DETERMINE WHETHER THE PROJECTS MEET THE REQUIREMENTS FOR ISSUANCE OF A CERTIFICATE OF NEED, AND TO ISSUE CERTIFICATES OF NEED IN APPROPRIATE CASES.

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

H. 3313 -- Reprs. Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V. S. Moss, Norman, Stringer, Toole, W. J. McLeod and Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE

[SJ]

MONDAY, MAY 4, 2015

PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER-OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE.

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

H. 3430 -- Reps. Simrill, G. M. Smith, Felder, Pope, Weeks, Taylor, Hixon, Corley, Norrell, Ridgeway, Henderson, G. A. Brown, Long, Lucas, Pitts, Atwater, Gagnon, Gambrell, Wells and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO SELL OR INSTALL AN UNMOUNTED, UNSAFE USED TIRE ONTO A PASSENGER CAR OR LIGHT TRUCK, TO DEFINE "UNSAFE" FOR THE PURPOSES OF THE CHAPTER, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT INSPECTIONS, TO PROVIDE A CIVIL FINE FOR EACH VIOLATION, TO PROVIDE THAT THIS CHAPTER DOES NOT LIMIT A BUSINESS OR INDIVIDUAL'S LIABILITY UNDER THE STATE'S PRODUCTS LIABILITY LAWS, AND TO EXEMPT A BUSINESS OR PERSON WHO IS SELLING TIRES FOR RETREADING.

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

H. 3512 -- Reps. Sandifer and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-456 SO AS TO PROVIDE A SCHOOL DISTRICT MAY EDUCATE STUDENTS ABOUT THE HOLIDAYS OF TRADITIONAL WINTER CELEBRATIONS IN A CERTAIN MANNER, AND TO PROVIDE THAT A SCHOOL DISTRICT MAY DISPLAY CERTAIN SYMBOLS ASSOCIATED WITH THESE HOLIDAYS ON SCHOOL PROPERTY UNLESS THE DISPLAY INCLUDES A MESSAGE THAT ENCOURAGES ADHERENCE TO A PARTICULAR RELIGIOUS BELIEF.

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

MONDAY, MAY 4, 2015

H. 3568 -- Reps. G. R. Smith, Duckworth, Burns, Goldfinch, Clemmons, Yow, Kirby, Spires, Norrell, Cobb-Hunter, Daning, Parks, Mitchell, Robinson-Simpson, Bamberg, Limehouse, Sottile, Cole, Corley, Felder, Finlay, Funderburk, Gagnon, Hamilton, Hardee, Hardwick, Henderson, McCoy, McKnight, Nanney, Sandifer, Tallon, Wells, Willis, Dillard and Stavrinakis: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT CONSTRUCTION MATERIALS USED BY AN ENTITY ORGANIZED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AS A NONPROFIT ORGANIZATION TO BUILD, REHABILITATE, OR REPAIR A HOME FOR THE BENEFIT OF AN INDIVIDUAL OR FAMILY IN NEED.

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

H. 3768 -- Reps. G. M. Smith, Johnson and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 5, TITLE 11 SO AS TO ESTABLISH THE "SOUTH CAROLINA ABLE SAVINGS PROGRAM", TO ALLOW INDIVIDUALS WITH A DISABILITY AND THEIR FAMILIES TO SAVE PRIVATE FUNDS TO SUPPORT THE INDIVIDUAL WITH A DISABILITY, TO PROVIDE GUIDELINES TO THE STATE TREASURER FOR THE MAINTENANCE OF THESE ACCOUNTS, AND TO ESTABLISH THE SAVINGS PROGRAM TRUST FUND AND SAVINGS EXPENSE TRUST FUND; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 5, TITLE 11 AS ARTICLE 1 AND ENTITLE THEM "GENERAL PROVISIONS".

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

H. 3874 -- Reps. Mitchell, Cobb-Hunter, Merrill, Loftis, Dillard and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3770 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES RENEWABLE ENERGY PROPERTY AND PLACES IT IN SERVICE IN THIS STATE, AND TO PROVIDE A DEFINITION OF "RENEWABLE ENERGY PROPERTY".

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

MONDAY, MAY 4, 2015

H. 3891 -- Reps. Toole, Long, Bedingfield, J. E. Smith, Anderson, Forrester, Rutherford and Sandifer: A BILL TO AMEND SECTION 56-31-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SURCHARGES ON RENTAL OR PRIVATE PASSENGER MOTOR VEHICLES FOR THIRTY-ONE DAYS OR LESS, SO AS TO DEFINE NECESSARY TERMS, TO DELETE EXISTING SURCHARGE PROVISIONS, TO INSTEAD PROVIDE RENTAL COMPANIES ENGAGED IN THE BUSINESS OF RENTING VEHICLES FOR PERIODS OF NINETY DAYS OR LESS MAY CHARGE SEPARATELY STATED FEES WHICH MAY INCLUDE CERTAIN FEES AND TAXES, TO PROVIDE THE AMOUNT OF THE CHARGE MUST REPRESENT THE GOOD FAITH ESTIMATE BY THE MOTOR VEHICLE RENTAL COMPANY OF ITS DAILY CHARGE CALCULATED TO RECOVER ITS ACTUAL TOTAL ANNUAL RECOVERABLE COSTS, TO PROVIDE REQUIREMENTS FOR WHEN THE TOTAL AMOUNT OF THE VEHICLE LICENSE FEES COLLECTED BY A MOTOR VEHICLE RENTAL COMPANY IN ANY CALENDAR YEAR EXCEEDS THE ACTUAL COSTS OF THE CAR RENTAL COMPANY DURING THAT PERIOD, TO REQUIRE A CERTAIN DESCRIPTION OF VEHICLE LICENSE FEES IN THE VEHICLE RENTAL AGREEMENTS, AND TO PROVIDE THAT VEHICLE LICENSE FEES ARE SUBJECT TO CERTAIN SALES AND USE TAXES.

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

H. 4012 -- Rep. Funderburk: A BILL TO AMEND SECTION 4-9-82, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF ASSETS BY A HOSPITAL PUBLIC SERVICE DISTRICT, SO AS TO PROVIDE THAT THE TERM "TRANSFER" DOES NOT INCLUDE ENTRY INTO A LEASE OR A MANAGEMENT AGREEMENT BY A HOSPITAL PUBLIC SERVICE DISTRICT.

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

H. 4056 -- Reps. Funderburk, Norrell, King, Knight, Brannon, Cobb-Hunter, Daning, Henderson, Herbkersman, Hicks, Kennedy, Newton, Simrill, Thayer, Weeks, Hodges, Pope and Ballentine: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-5-1655 SO AS TO PROVIDE THAT A DEPARTMENT OF TRANSPORTATION CONTRACTOR OR

MONDAY, MAY 4, 2015

CONTRACTING FIRM SHALL NOT BE QUALIFIED TO PARTICIPATE IN DEPARTMENT CONTRACTS AS A PRIME CONTRACTOR OR SUBCONTRACTOR UNDER CERTAIN CIRCUMSTANCES.

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

H. 4082 -- Reps. Knight, Jefferson, Murphy, Horne, Whipper, Tinkler and Mack: A BILL TO AMEND ACT 536 OF 1986, AS AMENDED, RELATING TO DORCHESTER COUNTY SCHOOL DISTRICT FOUR BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2016, TO DESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

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

H. 4091 -- Reps. Horne, Murphy, Knight and Tinkler: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF TWO OR FEWER DAYS THAT SCHOOLS IN DORCHESTER COUNTY SCHOOL DISTRICT 2 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.

REPORTS OF STANDING COMMITTEES

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

S. 338 -- Senators S. Martin and Bryant: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS REGARDING PRISONERS, BY ADDING SECTION 24-13-180 TO PROVIDE THAT ANY PUBLIC, PRIVATE, OR NONPROFIT ENTITY WHICH IS ENGAGED IN HELPING TO REHABILITATE AND

[SJ]

MONDAY, MAY 4, 2015

REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF ITS PROGRAM PROVIDES RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITY OF THE ADDRESSES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT A PUBLIC HEARING REGARDING THE PROGRAM AND THE LOCATION OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITY WHERE THEY WILL BE LOCATED.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

[SJ]

MONDAY, MAY 4, 2015

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

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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

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

[SJ]

MONDAY, MAY 4, 2015

DRUGS AND DEVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4468, 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 with amendment report on:

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

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out H. 4035 favorable:

H. 4035 -- Reps. Robinson-Simpson, Jefferson, 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, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott,

[SJ]

MONDAY, MAY 4, 2015

Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, 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 THE OFFICERS, MEMBERS, AND AUXILIARIES OF THE SOUTH CAROLINA STATE CHAPTERS OF ZETA PHI BETA SORORITY, INCORPORATED, FOR THEIR OUTSTANDING SERVICE TO THE CITIZENS OF OUR STATE, OUR NATION, AND THE INTERNATIONAL COMMUNITY AND TO DECLARE MAY 20, 2015, "ZETA PHI BETA SORORITY DAY" IN SOUTH CAROLINA.

**Poll of the Invitations Committee
Polled ; Ayes 11; Nays 0**

	AYES	
Bryant	Alexander	Reese
Verdin	Campsen	Cromer
Malloy	Cleary	Johnson
Kimpson	McElveen	
	Total--11	

NAYS

Total--0

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2012, and to expire December 31, 2016

5th Congressional District:

Samuel H. McNutt, Jr., 5909 Hwy. 321 South, Winnsboro, SC 29180

Received as information.

[SJ]

MONDAY, MAY 4, 2015

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2015, and to expire December 31, 2019

3rd Congressional District:

Kay Swisher, 110 Cedar Court, Laurens, SC 29360

Received as information.

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

Occupational Therapist:

Ricardo Holmes, 2 Bradford Ridge Court, Columbia, SC 29223

Received as information.

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

Occupational Therapist:

Ricardo Holmes, 2 Bradford Ridge Court, Columbia, SC 29223

Received as information.

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

4th Congressional District:

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

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 21, 2013, and to expire July 31, 2018

7th Congressional District:

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

Received as information.

[SJ]

MONDAY, MAY 4, 2015

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

ORDERED ENROLLED FOR RATIFICATION

The following Bill and Joint Resolution were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3324 -- Reps. J.E. Smith, G.M. Smith, Yow, Hardee, Clemmons, Goldfinch, Hardwick, Johnson, Duckworth, W.J. McLeod and Gilliard: A JOINT RESOLUTION TO ESTABLISH A COMMITTEE TO STUDY STATE AND LOCAL LEVEL VETERANS ISSUES; TO MAKE APPROPRIATE LEGISLATIVE RECOMMENDATIONS FOR IMPROVING THE STRUCTURE, DELIVERY, AND COORDINATION OF VETERANS SERVICES IN SOUTH CAROLINA; AND TO PROVIDE FOR THE COMMITTEE'S MEMBERSHIP, DURATION, AND STAFFING.

H. 3547 -- Reps. J.E. Smith and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-2350, SO AS TO PROVIDE THAT THE REEMPLOYMENT RIGHTS AND PROTECTIONS GRANTED TO MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD AND SOUTH CAROLINA STATE GUARD WHO SERVE STATE DUTY SHALL APPLY ALSO TO A PERSON WHO IS EMPLOYED IN SOUTH CAROLINA BUT IS A MEMBER OF ANOTHER STATE'S NATIONAL GUARD OR STATE GUARD.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3683 -- Reps. Williams, Hosey, Gilliard, Mack and Yow: A BILL TO AMEND SECTION 25-1-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO REQUIRE THE ADJUTANT GENERAL TO SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY.

MONDAY, MAY 4, 2015

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 490 -- Senator Alexander: A BILL TO AMEND SECTION 1-23-280 OF THE 1976 CODE, RELATING TO THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE, TO PROVIDE THAT IT IS THE DUTY OF THE COMMITTEE TO REQUEST FROM AN AGENCY PROMULGATING A REGULATION BEING REVIEWED BY THE COMMITTEE A RESPONSE TO THE COMMITTEE'S REQUEST FOR INFORMATION RELATED TO THE REGULATION AND TO PROVIDE THAT THE AGENCY MUST RESPOND TO THE REQUEST WITHIN FIFTEEN DAYS, TO PROVIDE THAT THE COMMITTEE SHALL HAVE THE ABILITY TO REQUEST INFORMATION AND A REGULATORY FLEXIBILITY ANALYSIS ON A PROPOSED REGULATION AFTER THE PUBLIC HEARING DATE OR A REGULATORY FLEXIBILITY ANALYSIS ON AN EXISTING REGULATION, AND THE ABILITY TO PETITION THE STATE AGENCY OR THE GENERAL ASSEMBLY, OR BOTH, TO AMEND, REVISE, OR REVOKE A REGULATION IF THE COMMITTEE DETERMINES THERE WILL BE A SIGNIFICANT ADVERSE IMPACT ON SMALL BUSINESSES, TO PROVIDE FOR THE ADJUSTMENT OF COMMITTEE MEMBERS' TERMS TO ACHIEVE STAGGERED TERMS, AND TO PROVIDE THAT AN APPOINTED COMMITTEE MEMBER SHALL NOT SERVE CONSECUTIVELY FOR MORE THAN SIX YEARS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0490.002), which was adopted:

Amend the committee amendment, as and if amended, page 3, by striking lines 8 -20 and inserting:

/ ~~“(3) This subsection does not limit the committee’s ability to petition a state agency to amend, revise, or revoke an existing regulation. This subsection does not limit the committee’s ability to request information for a regulatory flexibility analysis on a proposed regulation after the public hearing date or a regulatory flexibility analysis on an existing regulation. The agency which promulgated the regulation must respond to a request for information within fifteen days and must respond to a request for a regulatory flexibility analysis within thirty days. Should the committee determine that the regulation has a significant~~

MONDAY, MAY 4, 2015

adverse impact on small businesses it may petition the state agency to amend, revise, or revoke the regulation.” /

Re-number sections to conform.
Amend title to conform.

Senator MASSEY explained the Bill.

The question then was second reading of the Bill.

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

Ayes 36; Nays 0

AYES

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

Total--36

NAYS

Total--0

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

AMENDED, CARRIED OVER

H. 3890 -- Rep. Norrell: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER

[SJ]

MONDAY, MAY 4, 2015

CONDITIONS OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE MUST BE MADE UP, SO AS TO PROVIDE THAT WHEN SCHOOLS CLOSE BECAUSE THE GOVERNOR DECLARES A STATE OF EMERGENCY DUE TO SNOW, EXTREME WEATHER CONDITIONS, OR OTHER NATURAL DISASTERS, STUDENTS IN THOSE SCHOOLS ARE NOT REQUIRED TO MAKE UP ANY DAYS MISSED AS A RESULT.

The Senate proceeded to a consideration of the Bill.

Senator HAYES proposed the following amendment (AGM\3890C004.AGM.AB15), which was adopted:

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

/ SECTION 1. Section 59-1-425(B) and (C) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(B) Notwithstanding any other provisions of law to the contrary, all school days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close must be made up. All school districts shall designate annually at least three days within their school calendars to be used as make-up days in the event of these occurrences. If those designated days have been used or are no longer available, the local school board of trustees may lengthen the hours of school operation by no less than one hour per day for the total number of hours missed ~~or~~, operate schools on Saturday, or may waive up to three days. A waiver granted by the local board of trustees of the requirement for making up the three or fewer days missed only may be authorized by a majority vote of the local school board, and, after the completion of the 2014-2015 school year, may not be granted for a school in the district until the school has made up three full days, or the equivalent number of hours, missed due to snow, extreme weather, or other disruptions requiring the school to close during the same school year in which the waiver is sought. When a district waives a make-up day pursuant to this section, the make-up day also is waived for all charter schools located in the district and for all students participating in a home schooling program approved by the board of trustees of the district in which the student resides. Schools operating on a four-by-four block schedule shall make every effort to make up the time during the semester in which the days are missed. A plan to make up days by lengthening the school day must be approved by the Department of Education before implementation. Tutorial instruction for grades 7 through 12 may be taught on Saturday

MONDAY, MAY 4, 2015

at the direction of the local school board. If a local school board authorizes make-up days on Saturdays, tutorial instruction normally offered on Saturday for seventh through twelfth graders must be scheduled at an alternative time.

(C) ~~The General Assembly by law~~ State Board of Education may waive the requirements of making up ~~missed days or, by law, may authorize the school board of trustees to forgive up to three days beyond the three days forgiven by the local school district, not to exceed three additional days~~ missed because of snow, extreme weather conditions, or other disruptions requiring schools to close. ~~A waiver granted by the local board of trustees of the requirement for making up missed days also must be authorized through a majority vote of the local school board. Such a waiver only may be considered and granted upon the request of the local board of trustees through a majority vote of that local school board.~~ The State Department annually before July first shall provide the General Assembly with a detailed report of information from each district listing the number of:

(1) days missed and the reason, regardless of whether any were missed;

(2) days made up; and

(3) days waived.”

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

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED, AMENDED
CARRIED OVER**

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

MONDAY, MAY 4, 2015

POSSESSORS TO TRESPASSERS, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3266.002), which was adopted:

Amend the bill, as and if amended, page 2 by striking line 16 and inserting:

/ land may be entitled.

(E) The provisions of this Chapter do not affect any right, privilege, or provision of the South Carolina Tort Claims Act pursuant to Chapter 78, Title 15.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The amendment was adopted.

Senators KIMPSON and MASSEY proposed the following amendment (JUD3266.005), which was adopted:

Amend the bill, as and if amended, by striking subsection 15-82-10(C) beginning on page 1, line 37 and inserting:

/ (C) Notwithstanding subsection (B), a possessor of land is subject to liability for physical harm to children or a person with an intellectual disability who are trespassing thereon caused by an artificial condition upon the land if:

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

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

(3) the person because of his youth or intellectual disability does not discover the condition or realize the risk involved in intermeddling with it or in coming within the area made dangerous by it;

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

MONDAY, MAY 4, 2015

children or the persons with an intellectual disability who are involved;
and

(5) the possessor fails to exercise reasonable care to eliminate the danger or otherwise to protect the children or the persons with an intellectual disability.

(D) For the purposes of subsection (C), “intellectual disability” has the same meaning as provided for in section 44-20-30(12). /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

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

**ADOPTION OF AMENDMENT RECONSIDERED
CARRIED OVER**

H. 3304 -- Reps. Brannon, Allison, Cole, Hicks, Tallon, Nanney, Henderson, Loftis, Hamilton, Stringer, Bannister and Putnam: A BILL TO CREATE THE LANDRUM FIRE AND RESCUE DISTRICT IN GREENVILLE AND SPARTANBURG COUNTIES, TO ESTABLISH A GOVERNING COMMISSION, AND TO PRESCRIBE THE FUNCTIONS AND POWERS OF THE COMMISSION.

The Senate proceeded to consideration of the Bill.

Senator CORBIN proposed the following amendment (JUD3304.001), which was adopted and subsequently reconsidered:

Amend the bill, as and if amended, page 2, by striking line 22, in Section 4-23-1200(A), as contained in SECTION 1, and inserting therein:

/ subsection (B). The Spartanburg County Council and the Greenville County Council are authorized to enlarge, diminish, or alter the boundaries of the district located within their respective counties pursuant to the provisions of Article 3 of Chapter 11 of Title 6. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

MONDAY, MAY 4, 2015

The amendment was adopted.

Motion Adopted

Having voted on the prevailing side, Senator FAIR moved to reconsider the vote whereby the amendment was adopted.

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

CARRIED OVER

H. 3168 -- Reps. Tallon, McCoy and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ART "SOUTH CAROLINA EMERGENCY MANAGEMENT LAW ENFORCEMENT ACT", TO DEFINE NECESSARY TERMS, AND PROVIDE QUALIFICATIONS, POWERS, DUTIES, AND LIMITATIONS OF SPECIAL LAW ENFORCEMENT OFFICERS SERVING PURSUANT TO THIS ARTICLE.

Senator MASSEY explained the Bill.

Senator LARRY MARTIN explained the Bill.

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

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

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

S. 165 -- Senators Hembree, Turner, Bennett and Massey: A BILL TO AMEND SECTION 1-23-600 OF THE 1976 CODE, RELATING TO HEARINGS AND PROCEEDINGS IN THE ADMINISTRATIVE

MONDAY, MAY 4, 2015

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

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

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 3701, THE GENERAL APPROPRIATIONS BILL.

**REPORT OF THE SENATE FINANCE COMMITTEE
ADOPTED, AMENDED
READ THE SECOND TIME
DEBATE INTERRUPTED**

[SJ]

27

MONDAY, MAY 4, 2015

H. 3701--GENERAL APPROPRIATIONS BILL

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.

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

Senator LEATHERMAN spoke on the report.

Motion Adopted

Report of the Committee on Finance Adopted

Senator LEATHERMAN asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection and the motion was adopted.

The report of the Committee on Finance was adopted.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, staff members from the Budget and Control Board were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff and other staff designated by the President *Pro Tempore* were admitted to the floor of the Senate Chamber while debate was in progress on H. 3701, the General Appropriations Bill.

There was no objection and the motion was adopted.

Report of the Subcommittee on K-12 Education

Senator HAYES, Chairman of the Subcommittee on K-12 Education, was recognized to report to the Senate regarding the work of the subcommittee.

MONDAY, MAY 4, 2015

Report of the Subcommittee on Higher Education

Senator COURSON, Chairman of the Subcommittee on Higher Education, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Judicial and Criminal Justice**

Senator FAIR, Chairman of the Subcommittee on Judicial and Criminal Justice, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Health and Human Services**

Senator ALEXANDER, Chairman of the Subcommittee on Health and Human Services, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Natural Resources and Economic Development**

Senator SETZLER, Chairman of the Subcommittee on Natural Resources and Economic Development, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Transportation and Regulatory Laws**

Senator MATTHEWS, Chairman of the Subcommittee on Transportation and Regulatory Laws, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Constitutional Officers and Administrative Laws**

Senator NICHOLSON, on behalf of the Chairman of the Subcommittee on Constitutional and Administrative Laws, was recognized to report to the Senate regarding the work of the subcommittee.

Senator LEATHERMAN asked unanimous consent to proceed to Amendment No. 1.

MONDAY, MAY 4, 2015

Amendment No. 1

Senator LEATHERMAN proposed the following amendment (DAD NR EXCESS DIRECTIVE), which was adopted(#1):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 608, proviso 118.14, after line 23, by inserting an appropriately numbered section to read:

/ (C) The source of revenue appropriated in subsection (C) is unobligated Fiscal Year 2014-15 General Fund surplus revenues collected above the amounts certified by the Board of Economic Advisors. The appropriations are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2015, for the purposes stated: /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LEATHERMAN spoke on the amendment.

The amendment was adopted.

Amendment No. 4

Senator HAYES proposed the following amendment (DAD AUTISM AUTHORIZATION), which was adopted(#2):

Amend the bill, as and if amended, Part IA, Section 4, EDUCATION OVERSIGHT COMMITTEE, page 16, line 11, opposite OTHER OPERATING EXPENSES

by:

	COLUMN 7	COLUMN 8
/ STRIKING:	603,088	
and		
INSERTING:	1,101,642	/

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

MONDAY, MAY 4, 2015

Amendment No. 2

Senator ALEXANDER proposed the following amendment (DAD PEBA FTES), which was adopted(#3):

Amend the bill, as and if amended, Part IA, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 325, by inserting after line 22,

	COLUMN 7	COLUMN 8
/New Positions:		
Benefits Counselor I	(1.00)	
Benefits Counselor II	(1.00)	
Public Information Coordinator I	(0.50)	/

Amend the bill further, as and if amended, Part IA, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 325, by inserting after line 39,

/New Positions:		
Fiscal Technician II	(1.00)	
Accountant/Fiscal Analyst I	(1.00)	
Benefits Counselor II	(4.00)	
Computer Operator I	(1.00)	
Public Information Coordinator I	(0.50)	/

Renumber sections to conform.
Amend sections, totals and title to conform.

The amendment was adopted.

Amendment No. 8

Senators GROOMS, FAIR, CAMPBELL and CAMPSSEN proposed the following amendment (3701R001.EB.LKG.DOCX), which was adopted(#4):

[SJ]

MONDAY, MAY 4, 2015

Amend the bill, as and if amended, Part IB, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 490, after line 23, by adding an appropriately numbered new proviso to read:

/63. (DPS: Coastal Crisis Chaplaincy) From the funds appropriated to the Department of Public Safety, the department shall continue its partnership with the Coastal Crisis Chaplaincy as it existed prior to 2014 and shall develop a memorandum of understanding to govern this partnership /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Amendment No. 5

Senators JACKSON, O'DELL, and SETZLER proposed the following amendment (DG DJ PREDLENDING), which was adopted(#5):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 608, proviso 118.14, after line 23, by adding an appropriately numbered item to read:

/ () E04- Lieutenant Governor's Office

(a) Predatory Lending Education \$250,000

(.1) Of the funds appropriated above in item () for Predatory Lending Education, the Office on Aging shall develop a pilot program to assist seniors in improving their knowledge about finances and education about predatory lending practices. The pilot shall include an assessment of the financial health of seniors in the pilot area which must be used to identify strategies to address the major concerns found through the assessment. The strategies should include, but are not limited to, the means of building awareness of senior financial resources. The Office on Aging shall provide the results of the pilot, as well as a recommended strategy for any expansion other areas of the State, to the Chairmen of the Senate Finance Committee and the House Ways & Means Committee no later than March 15, 2016. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

MONDAY, MAY 4, 2015

The amendment was adopted.

Amendment No. 11

Senator YOUNG proposed the following amendment (BBM\3701C001.BBM.DG15.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 588, after line 17, by adding an appropriately numbered new proviso to read:

/ 117. . (GP: Municipal Business License Tax) In the current fiscal year, any rental income on property of a lessor is exempt from any business license tax imposed by a municipality if the lessee of the property is subject to the business license tax and the lessee and lessor are either the same legal entity or separate entities with common shareholders. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator YOUNG explained the amendment.

Point of Order

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

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Objection

Senator LEATHERMAN moved that H. 3701, the General Appropriations Bill, be given a second reading, carrying over all amendments to third reading with all members reserving their rights as to points of order.

Senator BRIGHT objected.

Objection

Senator MALLOY asked unanimous consent to make a motion that H. 3701, the General Appropriations Bill, be given a second reading, carrying over all amendments to third reading, with all members reserving the right to raise any Points of Order and to offer further

MONDAY, MAY 4, 2015

amendments without regard to questions of degree and that the Senate stand adjourned.

Senator BRIGHT objected.

Amendment No. 12

Senator FAIR proposed the following amendment (LC CELL PHONE INTERDICTION), which was adopted(#6):

Amend the bill, as and if amended, Part IB, Section 65, DEPARTMENT OF CORRECTIONS, page 494, proviso 65.25, line 21 after “interdiction”, by inserting:

/or retrieval /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator FAIR explained the amendment.

The amendment was adopted.

Objection

Senator MALLOY asked unanimous consent to make a motion that H. 3701, the General Appropriations Bill, be given a second reading, carrying over all amendments to third reading, with all members reserving the right to raise any Points of Order and to offer further amendments without regard to questions of degree and H. 3114 be placed in Interrupted Debate.

Senator SETZLER objected.

RECESS

At 4:49 P.M., on motion of Senator LEATHERMAN, the Senate recessed from business not to exceed 15 minutes.

At 5:22 P.M., the Senate resumed.

Amendment No. 9

Senator GROOMS proposed the following amendment (3701R005.EB.LKG.DOCX), which was adopted(#7):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 455, line 20, by striking proviso 34.47 in its entirety, and inserting:

/ 34.47. (DHEC: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the Continuation

MONDAY, MAY 4, 2015

of Teen Pregnancy Prevention, contracts must be awarded to separate private, nonprofit 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services within the State ~~using a proven effective program/curricula that meets~~ *meet* the A-H Title V, Section 510 definition of Abstinence Education. Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code. ~~Applicants will be given priority that have, for at least two years prior to application, effectively implemented in South Carolina the program/curricula for which funding is being applied. Applicants contracted to provide SC Title V, Section 510 funding will be given priority in order to meet the State's Title V, Section 510 federal match requirement. Proposed programs/curricula must be certified as medically accurate by a government or private agency that has the capacity to provide a quality review of materials for medical accuracy.~~ Proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirement for abstinence-until-marriage education programs. ~~Applicants must provide proof of an agreement with a federally certified IRB for review of program and evaluation processes and protocol and must provide proof of the IRB's approval prior to program implementation.~~ Applicants must provide a budget for the proposed project ~~and a recent third party audit indicating the applicant has sufficient experience and capacity for properly managing the level of funding for which the application is being made.~~ Monies will be paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department's contractual agreement. The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Amendment No. 10

[SJ]

MONDAY, MAY 4, 2015

Senator PEELER proposed the following amendment (DG HSP BINGO), which was adopted(#8):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 586, by striking proviso 117.129 in its entirety.

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

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

Ayes 27; Nays 8

AYES

Alexander	Bennett	Bright
Campsen	Corbin	Courson
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Leatherman	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	McElveen
O'Dell	Peeler	Rankin
Scott	Setzler	Shealy
Thurmond	Turner	Young

Total--27

NAYS

Coleman	Hutto	Johnson
Matthews	Pinckney	Reese
Sabb	Sheheen	

Total--8

The amendment was adopted.

Amendment No. 13

Senators BRIGHT, PEELER, SHANE MARTIN, CORBIN and SHEALY proposed the following amendment (3701R012.EB.LB.DOCX), which was adopted(#9):

MONDAY, MAY 4, 2015

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 588, after line 17, by adding an appropriately numbered new proviso to read:

/118. (GP: Refugee Resettlement Program) No state funds shall be expended to assist in the United States Refugee Resettlement Program unless the county council of the county where the resettlement is to occur approves the relocation. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to convene Tuesday, May 5, 2015, at 10:00 A.M.

Motion Adopted

On motion of Senator MALLOY, with unanimous consent, H. 3701, the General Appropriations Bill, was given a second reading, carrying over all amendments to third reading, with all members reserving the right to raise any Points of Order and to offer further amendments without regard to questions of degree and that the Senate stand adjourned.

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

Debate was interrupted by adjournment.

Recorded Vote

Senators BRIGHT, SHANE MARTIN and CORBIN desired to be recorded as voting against the motion.

Motion Adopted

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

MONDAY, MAY 4, 2015

MOTION ADOPTED

On motion of Senators LARRY MARTIN and ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Tottie Marchbanks of Clemson, S.C, Tottie was the wife of the Honorable Claude V. Marchbanks. Tottie was very active in the community and was a member of The Christian Women's Club, University Women's Club and served on the Inauguration Committee for the late Governor Carroll Campbell. She was a loving wife and devoted mother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator COURSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. O. Stanley Smith, Jr. of Columbia, S.C. Mr. Smith was a World War II Veteran who founded South Carolina's Technical College System and inspired the construction of Riverbanks Zoo. He and his wife started Constan Car Wash which was the first automated car wash in South Carolina. Stan was involved in civic affairs and served as Chairman of the State Advisory Committee for Technical Education. He was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 5:31 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

MONDAY, MAY 4, 2015

SENATE JOURNAL INDEX

Amendment No. 1.....	30	S. 744.....	6
Amendment No. 2.....	31	H. 3062.....	6
Amendment No. 4.....	30	H. 3149.....	7
Amendment No. 5.....	32	H. 3168.....	26
Amendment No. 8.....	31	H. 3250.....	7
Amendment No. 9.....	34	H. 3266.....	23
Amendment No. 10.....	35	H. 3304.....	25
Amendment No. 11.....	33	H. 3313.....	9
Amendment No. 12.....	34	H. 3324.....	19
Amendment No. 13.....	36	H. 3430.....	10
S. 165.....	26	H. 3512.....	10
S. 338.....	13	H. 3547.....	19
S. 490.....	20	H. 3568.....	11
S. 505.....	14	H. 3575.....	14
S. 629.....	26	H. 3646.....	15
S. 708.....	2	H. 3683.....	19
S. 709.....	2	H. 3701.....	28
S. 710.....	2	H. 3748.....	15
S. 711.....	2	H. 3749.....	15
S. 733.....	3	H. 3768.....	11
S. 734.....	3	H. 3847.....	16
S. 735.....	3	H. 3874.....	11
S. 736.....	3	H. 3890.....	21
S. 737.....	4	H. 3891.....	12
S. 738.....	4	H. 4012.....	12
S. 739.....	4	H. 4035.....	16
S. 740.....	4	H. 4056.....	12
S. 741.....	5	H. 4082.....	13
S. 742.....	5	H. 4091.....	13
S. 743.....	5		