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**Thursday, February 4, 2016**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

In Proverbs we read:

“Keep straight the path of your feet, and all your ways will be sure.”

(Proverbs 4:26)

Let us pray:

Dear God, how fervently do we pray for these Senators, recognizing as we do the overwhelming challenges that are before them, the enormous issues they have to tackle and the forces that often seem to work against them. Enable each Senator, Lord, to be able to discern the right pathway to follow, the way that will bring great and meaningful blessings to every South Carolinian. Continue to embrace in Your care all of our women and men serving in the Armed Forces, as well as each of our state’s dedicated first-responders. All this we pray in Your loving and wondrous name, O Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

Initial Appointment, Clarendon County Part-time Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Ric Simms, 100 Capital Way, Manning, SC 29102 *VICE* Percy Harvin

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

Mary F. Cole, 127 Royal Dr., Williamston, SC 29697 *VICE* James A. Cox

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

Leesa W. Inabinet, 457 Driftwood Rd., Cross Hill, SC 29332 *VICE* H. Wayne Copeland

**Doctor of the Day**

Senator SETZLER introduced of Dr. Patricia Witherspoon of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 1:19 P.M., Senator COURSON requested a leave of absence for Senator HAYES for the day.

**Leave of Absence**

At 1:19 P.M., Senator BENNETT requested a leave of absence for Senator GREGORY for the day.

**Leave of Absence**

At 1:22 P.M., Senator SHEALY requested a leave of absence for Senator THURMOND for the day.

**Leave of Absence**

At 1:23 P.M., Senator GROOMS requested a leave of absence for Senator CAMPBELL for the balance of the day.

**Leave of Absence**

At 1:23 P.M., Senator LOURIE requested a leave of absence for Senator SHEHEEN for the balance of the day.

**Statement by Senator McELVEEN**

Senator McELVEEN requested and was granted leave for the entire legislative day on Wednesday, February 3, 2016, for travel to Greenville, S.C. to attend the 12:00 Noon funeral of a family member.

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator LEATHERMAN rose for an Expression of Personal Interest.

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**Expression of Personal Interest**

Senator SHEHEEN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator LOURIE rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator COLEMAN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator MASSEY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Motion Adopted**

On motion of Senator FAIR, with unanimous consent, Senators HUTTO and FAIR were granted leave to attend a meeting and were granted leave to vote from the balcony.

**CO-SPONSORS ADDED**

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

S. 719 Sen. Verdin

S. 780 Sen. Campsen

S. 984 Sen. Davis

S. 1004 Sen. Sheheen

S. 1013 Sen. Davis

S. 1045 Sens. Peeler, Gregory and Coleman

**RECALLED AND COMMITTED**

S. 981 -- Senator Sheheen: A BILL TO AMEND SECTION 56‑3‑9600 OF THE 1976 CODE, RELATING TO “NO MORE HOMELESS PETS” LICENSE PLATES, SO AS TO PROVIDE THAT THE SOUTH CAROLINA ANIMAL CARE AND CONTROL ASSOCIATION SHALL COORDINATE THE GRANT PROGRAM, BE ELIGIBLE TO RECEIVE REIMBURSEMENT, AND DISTRIBUTE GRANT MONEY; TO REQUIRE AN ANNUAL ACCOUNTING FOR THE PROGRAM; AND REQUIRE CERTAIN

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INFORMATION BEFORE A NONPROFIT ORGANIZATION CAN RECEIVE FUNDING UNDER THE GRANT PROGRAM.

Senator SHEHEEN asked unanimous consent to make a motion to recall the Bill from the Committee on Transportation.

There was no objection and the Bill was recalled from the Committee on Transportation.

On motion of Senator SHEHEEN, with unanimous consent, the Bill was committed to the Committee on Agriculture and Natural Resources.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1060 -- Senator Hembree: A BILL TO AMEND SECTION 23-25-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, PURPOSE, AND MEMBERSHIP OF THE SOUTH CAROLINA LAW ENFORCEMENT OFFICERS HALL OF FAME ADVISORY COMMITTEE, SO AS TO INCREASE THE MEMBERSHIP TO INCLUDE THE PRESIDENT OF THE SOUTH CAROLINA FRATERNAL ORDER OF POLICE, OR HIS DESIGNEE.

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

S. 1061 -- Senator L. Martin: A BILL TO ADD SECTION 58-27-255 TO THE 1976 CODE OF LAWS, OR PROVIDE FOR COAL COMBUSTION RESIDUALS THAT RESULT FROM THE PRODUCTION OF ELECTRICITY TO BE PLACED IN A CLASS 3 LANDFILL, WITH SOME EXCEPTIONS.

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Senator LARRY MARTIN spoke on the Bill.

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

S. 1062 -- Senators Campbell, Massey, Turner, L. Martin, Cromer, Verdin, Cleary, Grooms and Shealy: A BILL TO AMEND TITLE 31 OF THE 1976 CODE, RELATING TO HOUSING AND REDEVELOPMENT, BY ADDING CHAPTER 24 SO AS TO PROVIDE THAT EXISTING INDUSTRIAL FACILITIES SHALL NOT BE ELIGIBLE FOR NUISANCES SUITS.

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

S. 1063 -- Senators Young, Setzler, Massey, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, J. Matthews, M. B. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Scott, Shealy, Sheheen, Thurmond, Turner, Verdin and Williams: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE MS. CONNIE SHADE UPON THE OCCASION OF HER RETIREMENT AFTER FORTY-FIVE YEARS OF DEDICATED SERVICE TO THE LOWER SAVANNAH COUNCIL OF GOVERNMENTS AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

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The Senate Resolution was adopted.

S. 1064 -- Senator Young: A BILL TO AMEND SECTION 38-73-525 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT AN INSURER WRITING A WORKERS' COMPENSATION POLICY SHALL FILE CERTAIN INFORMATION ON WHICH IT RELIES TO SUPPORT ITS RATE REQUEST, TO PROVIDE THAT THE INSURER MUST ADOPT THE MOST RECENT LOSS COST WITHIN ONE HUNDRED TWENTY DAYS OF APPROVAL OF THE LOSS COSTS; AND TO AMEND SECTION 38-73-1210, RELATING TO THE REQUIREMENT THAT ITS OBLIGATION TO MAKE CERTAIN FILINGS MAY BE SATISFIED BY MAKING FILINGS AS A MEMBER OF, OR SUBSCRIBER TO, A LICENSED RATING ORGANIZATION THAT MAKES FILINGS, TO REQUIRE THE FILINGS BE RULE AND FORM FILINGS AND NOT LOSS COST ADOPTION FILINGS, AND REQUIRE THE INSURER TO FILE FOR CERTAIN APPROVAL IF THE RATING ORGANIZATION TO WHICH IT SUBSCRIBES HAS A RATE INCREASE WITHIN TWELVE MONTHS AFTER THE INSURER BECOMES A MEMBER.

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

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S. 1065 -- Senators Young, Massey, Setzler and Nicholson: A JOINT RESOLUTION TO CLARIFY THAT SECTION 58-7-10 OF THE 1976 CODE OF LAWS DOES NOT APPLY TO A PRIVATE, FOR-PROFIT PIPELINE COMPANY, INCLUDING A PUBLICLY-TRADED FOR-PROFIT COMPANY, THAT IS NOT A PUBLIC UTILITY AS DEFINED BY TITLE 58 OF THE 1976 SOUTH CAROLINA CODE OF LAWS; AND TO CREATE THE PETROLEUM PIPELINE STUDY COMMITTEE TO STUDY MATTERS RELATED TO THE PRESENCE OF PETROLEUM PIPELINES IN SOUTH CAROLINA, AND FOR THE STUDY COMMITTEE TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY BY JANUARY 31, 2017, AND TO CONTINUE ITS WORK UNTIL JUNE 30, 2017, IF THE JANUARY REPORT DETERMINES FURTHER WORK IS NEEDED.

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

S. 1066 -- Senator Coleman: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH POINTE HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2015 SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 1067 -- Senator J. Matthews: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ST. MATTHEW BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY, AND TO COMMEND THE CONGREGATION AND THE PASTOR FOR A CENTURY AND A HALF OF SERVICE TO GOD AND OF MINISTERING TO THE SPIRITUAL NEEDS OF THE COMMUNITY.

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The Senate Resolution was adopted.

H. 4665 -- Reps. Tallon, Bannister, Bingham, Burns, Cole, Delleney, Erickson, Felder, Gagnon, Hamilton, Huggins, Kennedy, Lowe, Norrell, Rivers, G. M. Smith, G. R. Smith, Southard, Spires, Newton, W. J. McLeod and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-19-115 SO AS TO REQUIRE CANDIDATES FOR MAGISTRATES COURT TO

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BE SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION BEFORE THEY MAY BE APPOINTED BY THE GOVERNOR BY AND WITH THE CONSENT OF THE SENATE; AND TO AMEND SECTION 22-1-10, AS AMENDED, RELATING TO THE APPOINTMENT AND JURISDICTION OF MAGISTRATES, SO AS TO PROVIDE MAGISTRATES MUST BE SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION AND DELETE LANGUAGE ALLOWING MAGISTRATES' TERMS TO CONTINUE UNTIL SUCCESSORS ARE APPOINTED AND QUALIFIED.

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

H. 4708 -- Reps. Hixon, Hodges, Corley, Burns, Hiott, V. S. Moss and Kirby: A BILL TO AMEND SECTION 50-13-1630, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE AND TRAFFICKING IN FISH, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE RELEASE OR STOCKING OF STERILE WHITE AMUR, GRASS CARP, OR GRASS CARP HYBRIDS IN THIS STATE, AND TO PROVIDE THAT THE DEPARTMENT MAY ISSUE PERMITS FOR THE IMPORTATION, BREEDING, AND POSSESSION OF GRASS CARP.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4709 -- Reps. Hixon, Hodges, Corley, Burns, Hiott, V. S. Moss, Kirby and Newton: A BILL TO AMEND SECTION 50-5-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS CONTAINED IN THE SOUTH CAROLINA MARINE RESOURCES ACT OF 2000, SO AS TO PROVIDE A DEFINITION FOR THE TERM "SOUTHERN COBIA MANAGEMENT ZONE"; AND TO AMEND SECTION 50-5-2730, AS AMENDED, RELATING TO CERTAIN FEDERAL FISHING REGULATIONS, SO AS TO PROVIDE THAT THESE REGULATIONS DO NOT APPLY TO COBIA LOCATED IN THE SOUTHERN COBIA MANAGEMENT ZONE.

Read the first time and referred to the Committee on Fish, Game and Forestry.

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H. 4816 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-205 SO AS TO DESIGNATE JUNE TWENTY-SEVENTH OF EACH YEAR AS SOUTH CAROLINA POST-TRAUMATIC STRESS INJURY (PTSI) AWARENESS DAY.

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

**Message from the House**

Columbia, S.C., February 4, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3145 -- Reps. Sandifer, Lucas, Thayer, Yow, Long, G.R. Smith, Hixon, Henderson, G.M. Smith, Sottile, Forrester, Felder, Atwater, Toole, Huggins, Pope, Simrill, Bales, Anderson, Gilliard and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15‑3‑700 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A PERSON IS IMMUNE FROM CIVIL LIABILITY FOR DAMAGE RESULTING FROM HIS FORCIBLE ENTRY INTO A MOTOR VEHICLE TO REMOVE A CHILD WHO HE REASONABLY BELIEVES IS IN IMMINENT DANGER OF SUFFERING HARM IF NOT REMOVED, AMONG OTHER THINGS, AND TO PROVIDE THAT THIS IMMUNITY DOES NOT AFFECT CERTAIN OTHER CIVIL LIABILITY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., February 4, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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

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RENEWABLE ENERGY PROPERTY AND PLACES IT IN SERVICE IN THIS STATE, AND TO PROVIDE A DEFINITION OF “RENEWABLE ENERGY PROPERTY”.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was 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. 3881 -- Reps. Toole, Erickson, Long, Bedingfield, Anderson, Forrester and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑29‑327 SO AS TO PROVIDE EACH LICENSED MANUFACTURING HOUSING RETAIL DEALER LOCATION MUST HAVE ONE AUTHORIZED OFFICIAL REPRESENTING THE DEALERSHIP, TO PROVIDE AN AUTHORIZED OFFICIAL WHO IS NOT THE DEALER MUST HOLD A MANUFACTURED HOME RETAIL SALESPERSON OR RETAIL DEALER LICENSE, AND TO PROVIDE THE MANUFACTURED HOUSING BOARD MUST BE NOTIFIED IN WRITING WITHIN TWENTY DAYS IF THE AUTHORIZED OFFICIAL CHANGES.

**Recorded Vote**

Senators PEELER and SHANE MARTIN desired to be recorded as voting against third reading of the Bill.

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

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

S. 850 -- Senator Hayes: A BILL TO AMEND SECTION 38‑9‑180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STANDARD VALUATION, SO AS TO DEFINE NECESSARY TERMS, TO PRESCRIBE NEW REQUIREMENTS FOR THE DIRECTOR OR HIS DESIGNEE CONCERNING VALUING

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RESERVE LIABILITIES FOR OUTSTANDING INSURANCE POLICIES BASED UPON THE EFFECTIVE DATE OF THE POLICY OR CONTRACT, TO ALTER THE ACTUARIAL OPINION REQUIREMENTS FOR ALL LIFE INSURANCE POLICIES, TO UPDATE REFERENCES TO REQUIRE THAT THE COMMISSIONER’S RESERVE VALUATION METHOD BE USED FOR POLICIES ISSUED AFTER MARCH 23, 1960, AND POLICIES ISSUED AFTER THE EFFECTIVE DATE OF THIS ACT, TO PROVIDE A NEW FORMULA TO COMPUTE THE CALENDAR YEAR STATUTORY INTEREST RATE, TO UPDATE REFERENCES TO REFLECT THE COMMISSIONER’S RESERVE VALUATION METHODS, TO PROVIDE THE MINIMUM RESERVE REQUIRED IF THE PREMIUM CHARGED BY A COMPANY IS LESS THAN THE VALUATION NET PREMIUM FOR THE POLICY OR CONTRACT, TO PRESCRIBE THE MINIMUM STANDARD OF VALUATION FOR ACCIDENT AND HEALTH INSURANCE CONTRACTS ISSUED ON OR AFTER THE OPERATIVE DATE OF THE OPERATION MANUAL, TO PRESCRIBE THE OPERATIVE DATE FOR THE VALUATION MANUAL AND WHAT THE VALUATION MANUAL MUST SPECIFY, TO ESTABLISH REQUIREMENTS FOR A COMPANY THAT USES A PRINCIPLE‑BASED VALUATION, TO DEFINE CONFIDENTIAL INFORMATION AND TO PROVIDE PRIVILEGE FOR AND CONFIDENTIALITY OF CONFIDENTIAL INFORMATION, AND TO PROVIDE EXEMPTIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38‑63‑510, RELATING TO STANDARD NONFORFEITURE LAW FOR LIFE INSURANCE, SO AS TO DEFINE THE TERM “OPERATIVE DATE OF THE VALUATION MANUAL”; AND TO AMEND SECTION 38‑63‑600, RELATING TO THE BASIS FOR CALCULATING ADJUSTED PREMIUMS AND PRESENT VALUES OF POLICIES ISSUED ON OR AFTER JANUARY 1, 1989, SO AS TO PROVIDE THAT THE COMMISSIONERS’ STANDARD MORTALITY TABLE SHALL BE USED TO DETERMINE THE MINIMUM NONFORFEITURE STANDARD FOR POLICIES ISSUED ON OR AFTER THE OPERATIVE DATE OF THE VALUATION MANUAL.

S. 976 -- Senator Hayes: A BILL TO AMEND SECTION 38‑1‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE DEFINITIONS, SO AS TO ADD REFERENCES TO CERTAIN PRODUCERS; TO AMEND SECTION 38‑43‑50,

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RELATING TO LIMITED LINE AND SPECIAL PRODUCER LICENSING, SO AS TO ESTABLISH THAT A PRODUCER LICENSED FOR PROPERTY AND CASUALTY INSURANCE IS NOT REQUIRED TO BECOME APPOINTED BY THE SURPLUS LINES INSURER WHEN PLACING SURPLUS LINES INSURANCE THROUGH A LICENSED BROKER; AND TO AMEND SECTION 38‑45‑10, RELATING TO INSURANCE BROKERS AND SURPLUS LINES INSURANCE DEFINITIONS, SO AS TO PROVIDE THAT AN INSURANCE BROKER’S LICENSE IS NOT REQUIRED OF A PRODUCER LICENSED FOR PROPERTY AND CASUALTY INSURANCE WHO PLACES SURPLUS LINES INSURANCE THROUGH A LICENSED INSURANCE BROKER AND TO UPDATE REFERENCES.

**AMENDED, READ THE SECOND TIME**

S. 973 -- Senators Cromer and Alexander: A BILL TO AMEND SECTION 38‑7‑20 OF THE 1976 CODE, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO EXTEND THE DATE THAT CERTAIN REVENUE MUST BE SENT TO THE SOUTH CAROLINA FORESTRY COMMISSION TO 2027.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY proposed the following amendment (973R001.EB.ASM), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 35 and inserting:

/ “(B) Effective July 1, 2013, through June 30, ~~2017~~ 2022, two and” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question being the second reading of the Bill.

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

**Ayes 38; Nays 0**

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**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Coleman Corbin Courson

Cromer Davis Fair

Grooms Hembree Hutto

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, John*

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Sabb Scott Setzler

Shealy Turner Verdin

Williams Young

**Total--38**

**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. 280 -- Senator Peeler: A BILL TO AMEND SECTION 40‑11‑260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINANCIAL STATEMENTS AND NET WORTH REQUIREMENTS FOR GENERAL CONTRACTORS AND MECHANICAL CONTRACTORS, SO AS TO ADJUST THE NET WORTH REQUIREMENTS FOR LICENSURE AND LICENSE RENEWAL, AND TO DELETE OBSOLETE LANGUAGE.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (280R001.LS.HSP), which was adopted:

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

/ SECTION 1. Section 40‑11‑260 of the 1976 Code is amended to read:

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“Section 40‑11‑260. (A) An applicant for a general contractor’s license or a general contractor’s license renewal who performs or offers to perform contracting work for which the total cost of construction is greater than ~~$5,000.00~~ five thousand dollars, and an applicant for license group revisions must provide an acceptable financial statement with a balance sheet date no more than twelve months before the date of the relevant application showing a minimum net worth for each license group as follows:

(1) Group One

(a) bids and jobs not to exceed ~~$30,000.00~~ $50,000.00 per job;

(b) required net worth of ~~$6,000.00~~ $10,000.00;

(c) on initial application, an owner‑prepared financial statement with an affidavit of accuracy;

(d) on renewal, an owner‑prepared financial statement with an affidavit of accuracy;

(2) Group Two

(a) bids and jobs not to exceed ~~$100,000.00~~ $200,000.00 per job;

(b) required net worth of ~~$20,000.00~~ $40,000.00;

(c) on initial application, an owner‑prepared financial statement with an affidavit of accuracy;

(d) on renewal, an owner‑prepared financial statement with an affidavit of accuracy;

(3) Group Three

(a) bids and jobs not to exceed ~~$350,000.00~~ $500,000.00 per job;

(b) required net worth of $100,000.00;

~~(b)~~(c) on initial application, a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with Generally Accepted Accounting Principles (GAAP), including all disclosures required by GAAP indicating a required net worth of ~~seventy~~ one hundred thousand dollars;

~~(c)~~(d) on renewal, an owner‑prepared financial statement with an affidavit of accuracy indicating a required net worth of ~~seventy~~ one hundred thousand dollars, or a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP, and indicating a required net worth of ~~seventy~~ one hundred thousand dollars;

(4) Group Four

(a) bids and jobs not to exceed ~~$750,000.00~~ $1,500,000.00 per job;

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(b) required net worth of $175,000.00;

~~(b)~~(c) on initial application, a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP indicating a required net worth of ~~one hundred fifty~~ one hundred seventy- five thousand dollars;

~~(c)~~(d) on renewal, an owner‑prepared financial statement with an affidavit of accuracy indicating a required net worth of ~~one hundred fifty~~ one hundred seventy-five thousand dollars, or a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP, and indicating a required net worth of ~~one hundred fifty~~ one hundred seventy-five thousand dollars;

(5) Group Five

(a) bids and jobs unlimited;

(b) required net worth of $250,000.00;

(c) on initial application, a financial statement audited by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP;

(d) on renewal, a financial statement reviewed by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP;

(B) An applicant for a mechanical contractor’s license or a mechanical contractor’s license renewal who performs or offers to perform contracting work for which the total cost of construction is greater than five thousand dollars, and an applicant for license group revisions must provide an acceptable financial statement with a balance sheet date no more than twelve months before the date of the relevant application showing a minimum net worth for each license group as follows:

(1) Group One

(a) bids and jobs not to exceed $17,500.00 per job;

(b) required net worth of $3,500.00;

(c) on initial application, an owner‑prepared financial statement with an affidavit of accuracy;

(d) on renewal, an owner‑prepared financial statement with an affidavit of accuracy;

(2) Group Two

(a) bids and jobs not to exceed ~~$30,000.00~~ $50,000.00 per job;

(b) required net worth of ~~$6,000.00~~ $10,000.00;

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(c) on initial application, an owner‑prepared financial statement with an affidavit of accuracy;

(d) on renewal, an owner‑prepared financial statement with an affidavit of accuracy;

(3) Group Three

(a) bids and jobs not to exceed ~~$50,000.00~~ $100,000.00 per job;

(b) required net worth of $20,000.00;

~~(b)~~(c) on initial application, a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with Generally Accepted Accounting Principles (GAAP), including all disclosures required by GAAP indicating a net worth of ~~ten~~ twenty thousand dollars;

~~(c)~~(d) on renewal, an owner‑prepared financial statement with an affidavit of accuracy indicating a required net worth of ~~ten~~ twenty thousand dollars, or a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP, and indicating a required net worth of ~~ten~~ twenty thousand dollars;

(4) Group Four

(a) bids and jobs not to exceed ~~$125,000.00~~ $200,000.00 per job;

(b) required net worth of $40,000.00;

~~(b)~~(c) on initial application, a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP indicating a net worth of ~~twenty‑five~~ forty thousand dollars;

~~(c)~~(d) on renewal, an owner‑prepared financial statement with an affidavit of accuracy indicating a required net worth of ~~twenty‑five~~ forty thousand dollars, or a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP, and indicating a required net worth of ~~twenty-five~~ forty thousand dollars;

(5) Group Five

(a) bids and jobs unlimited;

(b) required net worth of ~~$100,000.00~~ $200,000.00;

(c) on initial application, a financial statement audited by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP;

(d) on renewal, a financial statement reviewed by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP;

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(C) In reviewing an entity’s balance sheet to determine the net worth of the applicant or licensee, the board may consider:

(1) deviations from the standard accountant’s report;

(2) notes to the financial statement;

(3) additional financial information submitted by the applicant or licensee for renewals;

(4) personal financial statements of an entity’s principals for an entity with less than two year’s operating experience.

(D) If a licensee desires to change to a higher license group as established in this section, the licensee must meet the financial statement and net worth requirements in the higher license group number as required in initial application.

(E) If the board has reasonable cause to believe that an entity has not maintained the minimum net worth for its group, the board may order the entity to submit additional financial information, and, if appropriate, may modify the entity’s license to reflect the appropriate limitation group.

~~(F)~~ ~~Contractors licensed before April 1, 1999, must be licensed in the new group closest to their existing limitations until their license renewal date, at which time they must meet the financial requirements for license renewal set forth in this section.~~” /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

The question then was the second reading of the Bill.

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

**Ayes 35; Nays 3**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Coleman Courson Cromer

Davis Fair Grooms

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey *Matthews, John Matthews, Margie*

McElveen Nicholson Peeler

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Rankin Reese Sabb

Scott Setzler Turner

Verdin Williams

**Total--35**

**NAYS**

Corbin Shealy Young

**Total--3**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 780 -- Senators McElveen and Campsen: A BILL TO AMEND SECTION 50‑13‑1630 (A) THROUGH (D) OF THE 1976 CODE, RELATING TO THE SALE AND TRAFFICKING IN FISH, TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE RELEASE OR STOCKING OF STERILE WHITE AMUR, GRASS CARP, OR GRASS CARP HYBRIDS IN THIS STATE AND TO UPDATE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (780R001.DR.GEC), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 25 and inserting:

/ subsection may be stocked in ~~the waters of~~ this State except as /

Amend the bill further, as and if amended, page 2, line 27, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_. Section 50-13-1630(F) of the 1976 Code is amended to read:

“Section 50-13-1630. (F) The department shall prescribe the qualifications, methods, controls, and restrictions required of a person or his agent to whom a permit is issued. The department shall condition all permits issued under this section to safeguard public safety and welfare and to prevent the introduction into the wild or release of nonnative species of fish or other organisms into ~~the waters of~~ this State. The

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department may promulgate regulations necessary to effectuate this section and specifically to prohibit additional species of fish from being imported, possessed, or sold in this State when the department determines the species of fish are potentially dangerous. A violation of the terms of the permit may result in revocation and a civil penalty of up to five thousand dollars. An appeal is pursuant to the provisions of Article 2, Chapter 23, Title 1 (the Administrative Procedures Act).” /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment

The question then was second reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Coleman Corbin Courson

Cromer Davis Fair

Grooms Hembree Hutto

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, John*

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Sabb Scott Setzler

Shealy Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

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

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**READ THE SECOND TIME**

S. 932 -- Senators Bennett, Grooms and Hembree: A BILL TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX ASSESSMENT RATIOS, SO AS TO REVISE AN APPLICATION DEADLINE FOR CERTAIN PROPERTY OWNED BY CERTAIN MEMBERS OF THE ARMED FORCES.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Coleman Corbin Courson

Cromer Davis Fair

Grooms Hembree Hutto

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, John*

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Sabb Scott Setzler

Shealy Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

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

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**READ THE SECOND TIME**

S. 984 -- Senators Campsen and Davis: A BILL TO AMEND SECTION 50‑5‑15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS CONTAINED IN THE SOUTH CAROLINA MARINE RESOURCES ACT OF 2000, SO AS TO PROVIDE A DEFINITION FOR THE TERM “SOUTHERN COBIA MANAGEMENT ZONE”; AND TO AMEND SECTION 50‑5‑2730, AS AMENDED, RELATING TO CERTAIN FEDERAL FISHING REGULATIONS, SO AS TO PROVIDE THAT THESE REGULATIONS DO NOT APPLY TO COBIA LOCATED IN THE SOUTHERN COBIA MANAGEMENT ZONE.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 37; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campsen Coleman

Corbin Courson Cromer

Davis Fair Grooms

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey *Matthews, John Matthews, Margie*

McElveen Nicholson Peeler

Rankin Reese Sabb

Scott Setzler Shealy

Turner Verdin Williams

Young

**Total--37**

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**NAYS**

Bright

**Total--1**

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

**READ THE SECOND TIME**

S. 1030 -- Senator Cromer: A BILL TO AMEND SECTION 50‑13‑645 OF THE 1976 CODE, RELATING TO PROTECTION OF NONGAME FISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A RECREATIONAL FISHERMAN TO TAKE MORE THAN TWENTY‑FIVE AMERICAN EEL A DAY AND THAT EACH AMERICAN EEL TAKEN MUST BE AT LEAST NINE INCHES LONG.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 37; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campsen Coleman

Corbin Courson Cromer

Davis Fair Grooms

Hembree Hutto Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey *Matthews, John Matthews, Margie*

McElveen Nicholson Peeler

Rankin Reese Sabb

Scott Setzler Shealy

Turner Verdin Williams

Young

**Total--37**

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**NAYS**

Bright

**Total--1**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 4633 -- Reps. Bingham and Limehouse: A JOINT RESOLUTION TO EXTEND THE DATE BY WHICH AN INDEPENDENT SCHOOL MUST APPLY TO BECOME AN ELIGIBLE INSTITUTION FOR PURPOSES OF THE EDUCATIONAL TAX CREDIT FOR EXCEPTIONAL NEEDS CHILDREN UNTIL FEBRUARY 15, 2016.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (BBM\4633C001.BBM.DG16), which was adopted:

Amend the joint resolution, as and if amended, SECTION 1, page 1, by striking line 26 and inserting:

/ Education Oversight Committee by May 1, 2016. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The question then was second reading of the Resolution.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Coleman Corbin Courson

Cromer Davis Fair

Grooms Hembree Hutto

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, John*

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*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Sabb Scott Shealy

Turner Verdin Williams

Young

**Total--37**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 139 -- Senator Cleary: A BILL TO AMEND SECTION 48‑39‑130 OF THE 1976 CODE, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, TO ALLOW FOR CERTAIN ADDITIONAL TECHNOLOGIES, METHODOLOGIES, OR STRUCTURES WITH REGARD TO PROTECTING BEACH AND DUNE CRITICAL AREAS WHEN AN EMERGENCY ORDER IS ISSUED BY APPOINTED OFFICIALS OF COUNTIES AND MUNICIPALITIES; TO AMEND SECTION 48‑39‑280, TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER JULY 1, 2015, AND TO ELIMINATE THE RIGHT OF LOCAL GOVERNMENTS AND LANDOWNERS TO PETITION THE ADMINISTRATIVE LAW COURT TO MOVE THE BASELINE SEAWARD UPON COMPLETION OF A BEACH RENOURISHMENT PROJECT; TO AMEND SECTION 48‑39‑290, TO NARROW THE EXCEPTION OF GOLF COURSES FROM A PERMIT REQUIREMENT TO REPAIR AND MAINTENANCE OF EXISTING GOLF COURSES, TO PROVIDE FOR AN EXEMPTION FOR SANDFENCING, REVEGETATION OF DUNES, MINOR BEACH RENOURISHMENT, AND DUNE CONSTRUCTION; AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPROVE REPAIRS TO CERTAIN EROSION CONTROL DEVICES WHICH WOULD OTHERWISE BE PROHIBITED, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH REPAIRS MAY BE MADE; TO AMEND SECTION 48‑39‑320 BY ADDING A SUBSECTION TO

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PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY APPROVE EROSION CONTROL DEVICES NOT PROVIDED FOR IN THIS CHAPTER IF THE BOARD DETERMINES THAT A DEVICE WILL BE SUCCESSFUL WITH REGARD TO EROSION CONTROL; AND TO REPEAL SECTION 48‑39‑290(D)(2).

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

S. 315 -- Senators Grooms and Campsen: A JOINT RESOLUTION TO REPEAL SECTION 6 OF ACT 114, RELATED TO THE TERMINATION OF THE GOVERNOR’S AUTHORITY TO APPOINT THE SECRETARY OF TRANSPORTATION; AND TO EXTEND THE GOVERNOR’S AUTHORITY UNTIL FURTHER ACTION BY THE GENERAL ASSEMBLY TO THE CONTRARY.

On motion of Senator SETZLER, the Resolution was carried over.

S. 267 -- Senators Young, Campsen, Hembree, Bennett, Turner, Thurmond, Davis, Bright, Bryant, L. Martin, S. Martin and Hayes: A BILL TO AMEND SECTION 2‑1‑180 OF THE 1976 CODE, RELATING TO ADJOURNMENT OF THE GENERAL ASSEMBLY, TO CHANGE THE DATE FOR THE MANDATORY ADJOURNMENT OF THE GENERAL ASSEMBLY FROM THE FIRST THURSDAY IN JUNE TO THE FIRST THURSDAY IN MAY, AND PROVIDE THAT IN ANY YEAR THAT THE HOUSE OF REPRESENTATIVES FAILS TO GIVE THIRD READING TO THE APPROPRIATIONS BILL BY MARCH FIRST, RATHER THAN MARCH THIRTY-FIRST, THE DATE OF ADJOURNMENT IS EXTENDED BY ONE STATEWIDE DAY FOR EACH STATEWIDE DAY AFTER MARCH FIRST, THAT THE HOUSE FAILS TO GIVE THE BILL THIRD READING.

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

S. 978 -- Senator Hayes: A BILL TO AMEND SECTION 38‑9‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RISK‑BASED CAPITAL PLANS, SO AS TO INCREASE THE MULTIPLIER FOR A COMPANY ACTION LEVEL EVENT FOR A LIFE AND HEALTH INSURER FROM 2.5 TO 3.0; TO AMEND SECTION 38‑87‑30, RELATING TO THE CHARTERING OF A RISK RETENTION GROUP, SO AS TO DEFINE TERMS, TO PROVIDE THAT A MAJORITY OF A RISK RETENTION GROUPS’ DIRECTORS MUST BE INDEPENDENT

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DIRECTORS, TO ESTABLISH THE MAXIMUM TERM OF ANY MATERIAL SERVICE PROVIDER CONTRACT, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT A WRITTEN POLICY, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT AND DISCLOSE ITS GOVERNANCE STANDARDS, TO REQUIRE THE BOARD TO ADOPT AND DISCLOSE A CODE OF BUSINESS CONDUCT AND ETHICS, TO REQUIRE A RISK RETENTION GROUP TO COMPLY WITH APPLICABLE REGULATIONS, TO ESTABLISH PROCEDURES FOR NONCOMPLIANCE, AND TO SET ESTABLISHED DATES FOR COMPLIANCE; TO AMEND SECTION 38‑87‑40, RELATING TO OUT‑OF‑STATE RISK RETENTION GROUPS, SO AS TO ALLOW AN OUT‑OF‑STATE RISK RETENTION GROUP TO SUBMIT REVISIONS TO ITS PLAN OF OPERATION WITHIN THIRTY DAYS OF APPROVAL BY THE STATE INSURANCE COMMISSION OR WITHIN THIRTY DAYS IF NO APPROVAL IS REQUIRED; AND TO AMEND SECTION 38‑90‑160, AS AMENDED, RELATING TO CAPTIVE INSURANCE COMPANIES, SO AS TO EXTEND THE PROVISIONS OF SECTION 38‑87‑30 TO A RISK RETENTION GROUP LICENSED AS A CAPTIVE INSURANCE COMPANY.

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

S. 493 -- Senator O’Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑68‑65 SO AS TO PROVIDE FOR THE DETERMINATION OF TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; TO AMEND SECTION 40‑68‑55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO PROVIDE BY REGULATION FOR THE ACCEPTANCE OF AFFIDAVIT OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; TO AMEND SECTION 40‑68‑60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO DELETE THE REQUIREMENT THAT TERMS MUST BE ESTABLISHED BY WRITTEN CONTRACT, AND INSTEAD TO PROVIDE ORGANIZATIONS ONLY SHALL PROVIDE ASSIGNED

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EMPLOYEES WITH WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; TO AMEND SECTION 40‑68‑70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO CLARIFY THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; TO AMEND SECTION 40‑68‑150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE; AND TO REPEAL SECTION 40‑68‑45 RELATING TO CONTINUING PROFESSIONAL EDUCATION.

Senator BRYANT explained the Bill.

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

S. 933 -- Senator Johnson: A BILL TO AMEND SECTION 59‑18‑310(B)(2) OF THE 1976 CODE, RELATING TO ACADEMIC STANDARDS AND ASSESSMENTS, TO PROVIDE A TWO YEAR EXTENSION FOR HIGH SCHOOL DIPLOMA PETITIONS FOR A PERSON WHO IS NO LONGER ENROLLED IN A PUBLIC SCHOOL AND WHO PREVIOUSLY FAILED TO RECEIVE A HIGH SCHOOL DIPLOMA OR WAS DENIED GRADUATION SOLELY FOR FAILING TO MEET THE EXIT EXAM REQUIREMENTS.

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

S. 1043 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DISTRICT AND SCHOOL PLANNING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4605, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator COURSON, the Resolution was carried over.

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**ADOPTED**

S. 1053 -- Senator Alexander: A SENATE RESOLUTION TO DECLARE FEBRUARY 2016 AS TEEN DATING VIOLENCE AWARENESS MONTH THROUGHOUT SOUTH CAROLINA AND TO URGE THE GENERAL PUBLIC TO WORK TOWARD ENDING TEEN DATING VIOLENCE BY EMPOWERING YOUNG PEOPLE TO DEVELOP HEALTHIER RELATIONSHIPS, ASSISTING VICTIMS IN ACCESSING THE INFORMATION AND SUPPORTIVE SERVICES THEY NEED, CREATING BETTER AND MORE RESOURCES FOR YOUNG PEOPLE IN NEED, INSTITUTING EFFECTIVE INTERVENTION AND PREVENTION POLICIES IN SCHOOLS, AND ENGAGING IN DISCUSSIONS WITH FAMILY MEMBERS AND PEERS TO PROMOTE AWARENESS AND PREVENTION OF THE QUIET EPIDEMIC OF TEEN DATING VIOLENCE.

The Resolution was adopted.

H. 4723 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 51 IN FLORENCE COUNTY THAT RUNS TWO HUNDRED YARDS NORTH AND TWO HUNDRED YARDS SOUTH OF ELIZABETH BAPTIST CHURCH “REVEREND SOLOMON EADDY, SR. HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

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

**MOTION ADOPTED**

At 1:56 P.M., on motion of Senator CROMER, the Senate agreed to dispense with the balance of the Motion Period.

**LOCAL APPOINTMENTS**

**Confirmations**

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

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Initial Appointment, Clarendon County Part-time Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Ric Simms, 100 Capital Way, Manning, SC 29102 *VICE* Percy Harvin

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

Leesa W. Inabinet, 457 Driftwood Rd., Cross Hill, SC 29332 *VICE* H. Wayne Copeland

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

Mary F. Cole, 127 Royal Dr., Williamston, SC 29697 *VICE* James A. Cox

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senators SHANE MARTIN, PEELER, REESE, BRIGHT and CORBIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Vollie C. “Vic” Bailey, Jr. of Spartanburg, S.C. Mr. Bailey was the Chairman of Vic Bailey Automotive. He was an active member of the community having served on the Spartanburg County Council, the Appalachian Council of Governments and the South Carolina Highway Commission. Vic served in the U.S. Army during the Korean War and was a member of First Presbyterian Church. He was a mentor, confidant and good friend of our beloved Senator Shane Martin. Mr. Bailey was a loving husband, devoted father and doting grandfather who will be dearly missed.

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**MOTION ADOPTED**

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Carl Lee Clemmons of Loris, S.C. Mr. Clemmons is the father of Representative Alan Clemmons. Carl was in the Air Force from 1950-1954. He worked for the U.S. Postal Service as a letter carrier until his retirement in 1985. He was a member of the Church of Jesus Christ of Latter-day Saints where he was very active and cherished his relationship with the Lord. Carl was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senators COLEMAN and RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Jennifer Caldwell Sharpe of Winnsboro, S.C. Jenni was a graduate of Richard Winn Academy, the University of South Carolina and the Medical University of South Carolina. She worked as an occupational therapist with Moore Orthopedic Clinic. She was a member of First United Methodist Church and attended Mount Horeb United Methodist Church. Jenni was a loving daughter, devoted wife and mother who will be dearly missed.

**ADJOURNMENT**

At 1:56 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

\* \* \*