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**Tuesday, March 15, 2016**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

We read in Exodus, as Moses and the people gathered in anticipation at the Holy Mountain, that:

“On the morning of the third day there was thunder and lightning, as well as a thick cloud on the mountain and a blast of a trumpet so loud that all the people who were in the camp trembled.” (Exodus 19:16)

Let us pray:

Holy and All-Powerful God, it seems these days that almost everywhere we turn we stumble across or hear about unsettledness, tumult, even violence. Clearly, around the globe and here at home there is unrest and uneasiness, as well as a yearning for renewal and for calm and peace. In the face of all this we ask for fresh awareness of Your holy presence. Give us all hope for the future, dear God. Especially grant that each of these Senators and every other public servant in our State as well as those across this land join together and work in positive, meaningful ways. We pray this in Your loving name, dear Lord. Amen.

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

**Motion Adopted**

On motion of Senator SHANE MARTIN, with unanimous consent, Senators MASSEY, MALLOY and THURMOND were granted leave to attend a conference committee meeting and were granted leave to vote from the balcony.

**Point of Quorum**

At 12:12 P.M., Senator SCOTT made the point that a quorum was not present. It was ascertained that a quorum was not present.

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**Call of the Senate**

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander Bennett Bright

Bryant Corbin Courson

Cromer Davis Fair

Grooms Hayes Johnson

Kimpson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* Nicholson Peeler

Scott Shealy Sheheen

Thurmond Turner Young

A quorum being present, the Senate resumed.

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4564

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Section 44-7-260

SUBJECT: Standards for Licensing Habilitation Centers for Persons with Intellectual Disability or Persons with Related Conditions

Received by Lieutenant Governor May 20, 2015

Referred to Medical Affairs Committee

Withdrawn and Resubmitted March 15, 2016

**Doctor of the Day**

Senator FAIR introduced Dr. C. Wendell James of Greenville, S.C., Doctor of the Day.

**Leave of Absence**

At 12:12 P.M., Senator CROMER requested a leave of absence for Senator CAMPSEN for the day.

**Leave of Absence**

At 12:13 P.M., Senator ALEXANDER requested a leave of absence for Senator CLEARY until 1:30 P.M.

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**Leave of Absence**

At 12:26 P.M., Senator VERDIN requested a leave of absence until 1:00 P.M.

**Leave of Absence**

At 12:49 P.M., Senator THURMOND requested a leave of absence for Senator RANKIN for the day.

**Leave of Absence**

At 1:13 P.M., Senator BRYANT requested a leave of absence for Senator ALEXANDER for the day.

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bill:

S. 550 Sen. Campbell

**RECALLED AND ADOPTED**

H. 5075 -- Reps. Hamilton, 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, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO DECLARE TUESDAY, MARCH 15, 2016, “SOUTH CAROLINA REALTOR DAY” IN ORDER TO RECOGNIZE AND HONOR THE MANY

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OUTSTANDING REALTORS AND REAL ESTATE PROFESSIONALS IN OUR STATE.

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

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

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

There was no objection.

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

On motion of Senator ALEXANDER, the Resolution was adopted and ordered sent to the House.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1168 -- Senator L. Martin: A SENATE RESOLUTION TO CONGRATULATE THE PENDLETON DISTRICT COMMISSION UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO THANK THE COMMISSION FOR ITS HALF CENTURY OF SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1169 -- Senator Gregory: A BILL TO AMEND SECTION 20-3-130(B), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE FOR TWO NEW FORMS OF ALIMONY AND TO CHANGE THE DEFINITION OF COHABITATION; TO AMEND SECTION 20-3-150, RELATING TO SEGREGATION OF ALLOWANCE BETWEEN SPOUSE AND CHILDREN AND THE EFFECT OF REMARRIAGE OF A SPOUSE, SO AS TO CHANGE THE DEFINITION OF COHABITATION.

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

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S. 1170 -- Senator Gregory: A BILL TO AMEND SECTION 20-3-130(C), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE THAT CERTAIN EARNINGS OF A SUBSEQUENT SPOUSE ARE NOT TO BE CONSIDERED BY THE COURT WHEN MAKING, MODIFYING, OR TERMINATING THE AWARD OF ALIMONY.

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

S. 1171 -- Senator Sheheen: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE DEATH OF MRS. ESSIE JOHNSON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1172 -- Senator J. Matthews: A SENATE RESOLUTION TO COMMEND BENNIE LEE PREZZY OF ORANGEBURG COUNTY FOR A LIFETIME OF DEDICATED SERVICE TO HIS COMMUNITY AND BEYOND AND TO WISH HIM MUCH BLESSING AND FULFILLMENT IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

H. 3036 -- Reps. Cobb-Hunter, Bamberg and McKnight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-75 SO AS TO DECLARE JANUARY SEVENTEENTH OF EACH YEAR AS "EARTHA KITT DAY" IN SOUTH CAROLINA IN HONOR OF THE LATE EARTHA MAE KITT, NATIONALLY AND INTERNATIONALLY KNOWN ACTRESS, SINGER, AND NATIVE SOUTH CAROLINIAN AND TO PROMOTE CULTURAL TOURISM IN THE STATE IN ORDER TO ENHANCE THE ECONOMIC WELL-BEING AND IMPROVE THE QUALITY OF LIFE OF ALL SOUTH CAROLINIANS.

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

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H. 5064 -- Rep. R. L. Brown: A JOINT RESOLUTION TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL CONDUCT, OR CAUSE TO BE CONDUCTED, BY A QUALIFIED OUTSIDE ENTITY, A FEASIBILITY STUDY CONCERNING THE MOST EFFICIENT AND COST-EFFECTIVE MANNER IN WHICH TO PROVIDE CLEAN DRINKING WATER TO THE RESIDENTS OF WADMALAW ISLAND IN CHARLESTON COUNTY WITHOUT THE USE OF WELLS WITH THE POTENTIAL OF CONTAMINATION.

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

H. 5083 -- Reps. Clemmons, Bernstein, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO REMEMBER ALL THE CHILDREN AND THEIR FAMILIES WHO WERE KILLED IN THE HOLOCAUST, TO HONOR HOLOCAUST SURVIVORS AND THEIR RESCUERS AND LIBERATORS, AND TO MARK THE UNVEILING OF THE PERMANENT BUTTERFLY MEMORIAL MONUMENT IN MYRTLE BEACH THAT WILL COMMEMORATE THEM FOR BOTH PRESENT AND FUTURE GENERATIONS.

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

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H. 5085 -- Reps. Erickson, Collins, M. S. McLeod, 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, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM, TO COMMEND THE IMPORTANT WORK BEING DONE TO COMBAT THIS SERIOUS PROBLEM, AND TO DECLARE TUESDAY, APRIL 26, 2016, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA.

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

H. 5086 -- Reps. Gagnon, Southard, 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, Fry, Funderburk, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E.

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Smith, Sottile, 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 ABBEVILLE HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2016 CLASS AA STATE CHAMPIONSHIP TITLE.

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

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

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

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

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

**Ayes 34; Nays 0**

**AYES**

Allen Bennett Bright

Bryant Campbell Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Jackson Johnson

Kimpson Leatherman Malloy

*Martin, Shane* Massey *Matthews, John*

*Matthews, Margie* McElveen Nicholson

Peeler Sabb Scott

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Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--34**

**NAYS**

**Total--0**

**Statement by Senators ALEXANDER and LARRY MARTIN**

We were temporarily out of the Chamber for the Governor’s Bill signing ceremony for the Domestic Violence Fatality Review Committee and would have voted in favor of third reading of the Bill.

**AMENDED, CARRIED OVER**

S. 653 -- Senator Scott: A BILL TO AMEND SECTION 38‑63‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAYMENT OF INDIVIDUAL LIFE INSURANCE POLICY BENEFIT PROCEEDS IN A LUMP SUM, SO AS TO PROVIDE THE INTEREST PAID MUST BE PAID AT A RATE NOT LESS THAN THE CURRENT RATE INTEREST PAID ON DEATH PROCEEDS LEFT ON DEPOSIT WITH THE INSURER; AND TO AMEND SECTION 38‑65‑120, RELATING TO PAYMENT OF GROUP LIFE INSURANCE POLICY BENEFIT PROCEEDS IN A LUMP SUM, SO AS TO CLARIFY THE REQUIREMENTS FOR CLAIMS SUBMISSIONS, AND TO PROVIDE INTEREST PAID ON LUMP SUM PAYMENTS MUST BE PAID AT A RATE NOT LESS THAN THE CURRENT RATE OF INTEREST PAID ON DEATH PROCEEDS LEFT ON DEPOSIT WITH THE INSURER.

The Senate proceeded to a consideration of the Bill.

Senator SCOTT explained the Bill.

Senator SHEHEEN proposed the following amendment (NBD\  
653C003.NBD.CZ16), which was adopted:

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

/ SECTION 1. Section 38‑63‑80 of the 1976 Code is amended to read:

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“Section 38‑63‑80. When an individual life insurance policy provides for payment of its proceeds in a lump sum upon the death of the insured and the insurer fails to pay the proceeds within ~~thirty~~ forty-five days of submission of proof of death and all necessary claim papers needed in order to pay the claim properly, the payment must include interest ~~at the legal rate from the date of death of the insured until the date the claim is paid~~. Notwithstanding another provision of law, this interest must be paid at a rate equal to the prime rate plus one percent, but may not exceed the state’s legal rate of interest.”

SECTION 2. Section 38‑65‑120 of the 1976 Code is amended to read:

“Section 38‑65‑120. When a group life insurance policy provides for payment of its proceeds in a lump sum upon the death of an insured and the insurer fails to pay the proceeds within ~~thirty~~ forty-five days of submission of proof of death and all necessary claim papers needed to properly pay the claim, the payment must include interest ~~at the legal rate of interest from the date of death of that insured until the date the claim is paid~~. Notwithstanding another provision of law, this interest must be paid at a rate equal to the prime rate plus one percent, but may not exceed the state’s legal rate of interest.”

SECTION 3. Section 38‑63‑220(f) of the 1976 Code is amended to read:

“(f) a provision that when a policy becomes a claim by the death of the insured, settlement must be made upon receipt of proof of death. When a policy provides for payment of its proceeds in a lump sum upon the death of the insured and the insurer fails to pay the proceeds within ~~thirty~~ forty-five days of submission of proof of death and all necessary claim papers needed in order to pay the claim properly, the payment must include interest ~~at the legal rate of interest from the date of death of the insured until the date the claim is paid~~. Notwithstanding another provision of law, this interest must be paid at a rate equal to the prime rate plus one percent, but may not exceed the state’s legal rate of interest.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

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

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**ADOPTED**

S. 1134 -- Senators Verdin and L. Martin: A CONCURRENT RESOLUTION TO RENAME THE PORTION OF SOUTH CAROLINA HIGHWAY 124 IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 123 TO THE GREENVILLE COUNTY LINE FROM “JOE ANDERS HIGHWAY” TO “JOE ANDERS MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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

**MOTION ADOPTED**

At 12:46 P.M., on motion of Senator CROMER, the Senate agreed to dispense with the balance of the Motion Period.

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**H. 3545--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

H. 3545 -- Reps. Gambrell, Weeks, Bedingfield, V.S. Moss, Clemmons, Forrester, Gagnon, D.C. Moss, Pitts, Riley, G.M. Smith, G.R. Smith, White and Yow: A BILL TO AMEND SECTION 16-11-110, AS AMENDED, RELATING TO ARSON, SO AS TO RESTRUCTURE THE ELEMENTS OF THE DEGREES OF ARSON.

On motion of Senator MALLOY, the Report of the Committee of Conference was taken up for immediate consideration.

Senator MALLOY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

**Ayes 34; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Corbin Courson Cromer

Davis Gregory Grooms

Hayes Hembree Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey *Matthews, John Matthews, Margie*

Nicholson Peeler Sabb

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--34**

**NAYS**

**Total--0**

**H. 3545**--**Conference Report**

The General Assembly, Columbia, S.C., March 15, 2016

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3545 -- Reps. Gambrell, Weeks, Bedingfield, V.S. Moss, Clemmons, Forrester, Gagnon, D.C. Moss, Pitts, Riley, G.M. Smith, G.R. Smith, White and Yow: A BILL TO AMEND SECTION 16-11-110, AS AMENDED, RELATING TO ARSON, SO AS TO RESTRUCTURE THE ELEMENTS OF THE DEGREES OF ARSON.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to S. Printed 6/2/15--S.)

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

/ SECTION 1. Section 16‑11‑110 of the 1976 Code is amended to read:

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“Section 16‑11‑110. (A) A person who wilfully and maliciously causes an explosion, sets fire to, burns, or causes to be burned or aids, counsels, or procures a burning that results in damage to a ~~dwelling house,~~ building, structure, or any property specified in subsections (B) and (C), whether the property of ~~himself~~ the person or another, which results, either directly or indirectly, in ~~the~~ death or serious bodily injury ~~of~~ to a person is guilty of the felony of arson in the first degree and, upon conviction, must be imprisoned not less than thirty years.

(B) A person who wilfully and maliciously causes an explosion, sets fire to, burns, or causes to be burned or aids, counsels, or procures a burning that results in damage to a dwelling house, church or place of worship, public or private school facility, manufacturing plant or warehouse, building where business is conducted, institutional facility, or any structure designed for human occupancy including local and municipal buildings, ~~or any property~~ whether the property of ~~himself~~ the person or another, ~~which results, either directly or indirectly, in serious bodily injury to a person~~ is guilty of the felony of arson in the second degree and, upon conviction, must be imprisoned not less than three nor more than twenty‑five years.

(C) A person commits a violation of the provisions of this subsection who wilfully and maliciously:

(1) causes an explosion, sets fire to, burns, or causes ~~to be burned or aids, counsels, or procures~~ a burning ~~that~~ which results in damage to a ~~dwelling house,~~ building~~,~~ or structure other than those specified in subsections (A) and (B), a railway car, a ship, boat, or other watercraft, an aircraft, an automobile or other motor vehicle, or ~~any~~ personal property~~,~~; or

(2) aids, counsels, or procures a burning that results in damage to a building or structure other than those specified in subsections (A) and (B), a railway car, a ship, boat, or other watercraft, an aircraft, an automobile or other motor vehicle, or personal property with intent to destroy or damage by explosion or fire, whether the property of ~~himself~~ the person or another~~, which results, either directly or indirectly, in bodily injury to a person or damage to the property~~.

A person who violates the provisions of this subsection is guilty of the felony of arson in the third degree and, upon conviction, must be imprisoned not more than fifteen years.

(D) For purposes of this section, ‘damage’ means an application of fire or explosive that results in burning, charring, blistering, scorching, smoking, singeing, discoloring, or changing the fiber or composition of a building, structure, or any property specified in this section.”

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SECTION 2. Section 16‑23‑500 of the 1976 Code is amended to read:

“Section 16‑23‑500. (A) It is unlawful for a person who has been convicted of a violent crime, as defined by Section 16‑1‑60, that is classified as a felony offense, to possess a firearm or ammunition within this State.

(B) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than five years, or both.

(C)(1) In addition to the penalty provided in this section, the firearm or ammunition involved in the violation of this section must be confiscated. The firearm or ammunition must be delivered to the chief of police of the municipality or to the sheriff of the county if the violation occurred outside the corporate limits of a municipality. The law enforcement agency that receives the confiscated firearm or ammunition may use it within the agency, transfer it to another law enforcement agency for the lawful use of that agency, trade it with a retail dealer licensed to sell firearms or ammunition in this State for a firearm, ammunition, or any other equipment approved by the agency, or destroy it. A firearm or ammunition must not be disposed of in any manner until the results of any legal proceeding in which it may be involved are finally determined. If the State Law Enforcement Division seized the firearm or ammunition, the division may keep the firearm or ammunition for use by its forensic laboratory. Records must be kept of all confiscated firearms or ammunition received by the law enforcement agencies under the provisions of this section.

(2) A law enforcement agency that receives a firearm or ammunition pursuant to this section shall administratively release the firearm or ammunition to an innocent owner. The firearm or ammunition must not be released to the innocent owner until the results of any legal proceedings in which the firearm or ammunition may be involved are finally determined. Before the firearm or ammunition may be released, the innocent owner shall provide the law enforcement agency with proof of ownership and shall certify that the innocent owner will not release the firearm or ammunition to the person who has been charged with a violation of this section which resulted in the confiscation of the firearm or ammunition. The law enforcement agency shall notify the innocent owner when the firearm or ammunition is available for release. If the innocent owner fails to recover the firearm or ammunition within thirty days after notification of the release, the law enforcement agency may

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maintain or dispose of the firearm or ammunition as otherwise provided in this section.

(D) The judge that hears the case involving the violent offense, as defined by Section 16‑1‑60, that is classified as a felony offense, shall make a specific finding on the record that the offense is a violent offense, as defined by Section 16‑1‑60, and is classified as a felony offense. A judge’s failure to make a specific finding on the record does not bar or otherwise affect prosecution pursuant to this subsection and does not constitute a defense to prosecution pursuant to this subsection.”

SECTION 3. Section 22‑3‑560 of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“Section 22‑3‑560. Magistrates may punish breaches of the peace by a fine not exceeding five hundred dollars or imprisonment for a term not exceeding thirty days, or both~~, all breaches of the peace~~.”

SECTION 4. Section 24‑19‑10(d) of the 1976 Code, as last amended by Act 255 of 2012, is further amended to read:

“(d) ‘Youthful offender’ means an offender who is:

(i) under seventeen years of age and has been bound over for proper criminal proceedings to the court of general sessions pursuant to Section 63‑19‑1210 for allegedly committing an offense that is not a violent crime, as defined in Section 16‑1‑60, and that is a misdemeanor, a Class D, Class E, or Class F felony, as defined in Section 16‑1‑20, or a felony which provides for a maximum term of imprisonment of fifteen years or less;

(ii) seventeen but less than twenty‑five years of age at the time of conviction for an offense that is not a violent crime, as defined in Section 16‑1‑60, and that is a misdemeanor, a Class D, Class E, or Class F felony, or a felony which provides for a maximum term of imprisonment of fifteen years or less;

(iii) under seventeen years of age and has been bound over for proper criminal proceedings to the court of general sessions pursuant to Section 63‑19‑1210 for allegedly committing burglary in the second degree (Section 16‑11‑312). If the offender committed burglary in the second degree pursuant to Section 16‑11‑312(B), ~~The~~ offender must receive and serve a minimum sentence of at least three years, no part of which may be suspended, and the person is not eligible for conditional release until the person has served the three‑year minimum sentence;

(iv) seventeen but less than twenty‑one years of age at the time of conviction for burglary in the second degree (Section 16‑11‑312). If the offender committed burglary in the second degree pursuant to Section 16‑11‑312(B), ~~The~~ offender must receive and serve a minimum sentence

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of at least three years, no part of which may be suspended, and the person is not eligible for conditional release until the person has served the three‑year minimum sentence;

(v) under seventeen years of age and has been bound over for proper criminal proceedings to the court of general sessions pursuant to Section 63‑19‑1210 for allegedly committing criminal sexual conduct with a minor in the third degree, pursuant to Section 16‑3‑655(C), and the alleged offense involved consensual sexual conduct with a person who was at least fourteen years of age at the time of the act; or

(vi) seventeen but less than twenty‑five years of age at the time of conviction for committing criminal sexual conduct with a minor in the third degree, pursuant to Section 16‑3‑655(C), and the conviction resulted from consensual sexual conduct, provided the offender was eighteen years of age or less at the time of the act and the other person involved was at least fourteen years of age at the time of the act.”

SECTION 5. Section 24‑21‑5(1) of the 1976 Code, as added by Act 273 of 2010, is amended to read:

“(1) ‘Administrative monitoring’ means a form of monitoring by the department beyond the end of the term of supervision in which the only remaining condition of supervision not completed is the payment of financial obligations. Under administrative monitoring, the only condition of the monitoring shall be the requirement that reasonable progress be made toward the payment of financial obligations. The payment of monitoring mandated fees shall continue. When an offender is placed on administrative monitoring, ~~he~~ the offender shall register with the department’s representative in ~~his~~ the offender’s county, notify the department of ~~his~~ the offender’s current address each quarter, and make payments on financial obligations owed, until the financial obligations are paid in full or a consent order of judgment is filed. Written notice of petitions for civil contempt as set forth in Section 24‑21‑100, scheduled hearings or proceedings, or any other event or modification associated with administrative monitoring must be given by the department by depositing the notice in the United States mail with postage prepaid addressed to the person at the address contained in the records of the department. The giving of notice by mail is complete ten days after the deposit of the notice. A certificate by the director of the department or the director’s designee that the notice has been sent as required in this section is presumptive proof that the requirements as to notice of petitions for civil contempt as set forth in Section 24‑21‑100, scheduled hearings or proceedings, or any other event or modification associated with administrative monitoring have been met even if the notice has not

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been received by the offender. If an offender fails to appear for the civil contempt proceeding, the court may issue a bench warrant for the offender’s arrest for failure to appear, or the court may proceed in the offender’s absence and issue a bench warrant along with an order imposing a term of confinement as set forth in Section 24‑21‑100.”

SECTION 6. Section 24‑21‑100(A) of the 1976 Code, as added by Act 273 of 2010, is amended to read:

“(A) Notwithstanding the provisions of Section 24‑19‑120, 24‑21‑440, 24‑21‑560(B), or 24‑21‑670, when an individual has not fulfilled ~~his~~ the individual’s obligations for payment of financial obligations by the end of ~~his~~ the individual’s term of supervision, then the individual shall be placed under quarterly administrative monitoring, as defined in Section 24‑21‑5, by the department until such time as those financial obligations are paid in full or a consent order of judgment is filed. If the individual under administrative monitoring fails to make reasonable progress toward the payment of such financial obligations, as determined by the department, the department may petition the court to hold an individual in civil contempt for failure to pay the financial obligations. The department shall provide written notice of the petition and any scheduled contempt hearing by depositing the notice in the United States mail with postage prepaid addressed to the person at the address contained in the records of the department. The giving of notice by mail is complete ten days after the deposit of the notice. A certificate by the director of the department or the director’s designee that the notice has been sent as required in this section is presumptive proof that the requirements as to notice of petition and any scheduled contempt hearing have been met even if the notice has not been received by the offender. If the court finds the individual has the ability to pay but has not made reasonable progress toward payment, the court may hold the individual in civil contempt of court and may impose a term of confinement in the local detention center until payment of the financial obligations, but in no case to exceed ninety days of confinement. Following any term of confinement, the individual shall be returned to quarterly administrative monitoring by the department. If the individual under administrative monitoring does not have the ability to pay the financial obligations and has no reasonable likelihood of being able to pay in the future, the department may submit a consent order of judgment to the court, which shall relieve the individual of any further administrative monitoring.”

SECTION 7. Section 24‑21‑280(D) of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

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“(D) A probation agent, in consultation with ~~his~~ the probation agent’s supervisor, shall identify each individual under the department’s supervision ~~of the department~~, with a term of supervision of more than one year, and shall calculate and award compliance credits as provided in this section. Credits may be earned from the first day of supervision on a thirty‑day basis, but ~~shall~~ must not be applied until after each thirty‑day period of supervision has been completed. Compliance credits may be denied for noncompliance on a thirty‑day basis as determined by the department. The denial of nonearned compliance credits is a final decision of the department and is not subject to appeal. An individual may earn up to twenty days of compliance credits for each thirty‑day period in which ~~he~~ the department determines that the individual has substantially fulfilled all of the conditions of ~~his~~ the individual’s supervision~~, has no new arrests, and has made all scheduled payments of his financial obligations~~.”

SECTION 8. Section 44‑53‑370(b) of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“(b) A person who violates subsection (a) with respect to:

(1) a controlled substance classified in Schedule I (b) and (c) which is a narcotic drug or lysergic acid diethylamide (LSD) and in Schedule II which is a narcotic drug is guilty of a felony and, upon conviction, for a first offense must be imprisoned not more than fifteen years or fined not more than twenty‑five thousand dollars, or both. For a second offense, ~~or if, in the case of a first conviction of violation of any provision of this subsection, the offender previously has been convicted of a violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender must be imprisoned not less than five years nor more than thirty years, or fined not more than fifty thousand dollars, or both. For a third or subsequent offense, ~~or if the offender previously has been convicted two or more times in the aggregate of a violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender must be imprisoned not less than ten years nor more than thirty years, or fined not more than fifty thousand dollars, or both. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a first offense or second offense may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits.   
Notwithstanding any other provision of law, a person convicted and

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sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsections (c) and (d), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted;

(2) any other controlled substance classified in Schedule I, II, or III, flunitrazepam or a controlled substance analogue, is guilty of a felony and, upon conviction, for a first offense must be imprisoned not more than five years or fined not more than five thousand dollars, or both. For a second offense, ~~or, if, in the case of a first conviction of violation of any provision of this subsection, the offender previously has been convicted of a violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender is guilty of a felony and, upon conviction, must be imprisoned not more than ten years or fined not more than ten thousand dollars, or both. For a third or subsequent offense, ~~or, if the offender previously has been convicted two or more times in the aggregate of a violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs,~~ the offender is guilty of a felony and, upon conviction, must be imprisoned not less than five years nor more than twenty years, or fined not more than twenty thousand dollars, or both. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a first offense or second offense may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsections (c) and (d), may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted;

(3) a substance classified in Schedule IV except for flunitrazepam is guilty of a misdemeanor and, upon conviction, for a first offense must be imprisoned not more than three years or fined not more than three thousand dollars, or both. In the case of second or subsequent offenses,

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the person is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than six thousand dollars, or both. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a first offense or second offense may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsections (c) and (d), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted;

(4) a substance classified in Schedule V is guilty of a misdemeanor and, upon conviction, for a first offense must be imprisoned not more than one year or fined not more than one thousand dollars, or both. In the case of second or subsequent offenses, the sentence must be twice the first offense. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a first offense or second offense may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsections (c) and (d), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted~~;~~.”

SECTION 9. Section 44‑53‑375(B) of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“(B) A person who manufactures, distributes, dispenses, delivers, purchases, or otherwise aids, abets, attempts, or conspires to manufacture, distribute, dispense, deliver, or purchase, or possesses with intent to distribute, dispense, or deliver methamphetamine or cocaine base, in violation of the provisions of Section 44‑53‑370, is guilty of a felony and, upon conviction:

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(1) for a first offense, must be sentenced to a term of imprisonment of not more than fifteen years or fined not more than twenty‑five thousand dollars, or both;

(2) for a second offense ~~or if, in the case of a first conviction of a violation of this section, the offender has been convicted of any of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs~~, the offender must be imprisoned for not less than five years nor more than thirty years, or fined not more than fifty thousand dollars, or both;

(3) for a third or subsequent offense ~~or if the offender has been convicted two or more times in the aggregate of any violation of the laws of the United States or of any state, territory, or district relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs~~, the offender must be imprisoned for not less than ten years nor more than thirty years, or fined not more than fifty thousand dollars, or both.

Possession of one or more grams of methamphetamine or cocaine base is prima facie evidence of a violation of this subsection. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a first offense or second offense may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection for a third or subsequent offense in which all prior offenses were for possession of a controlled substance pursuant to subsection (A), may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits. In all other cases, the sentence must not be suspended nor probation granted.”

SECTION 10. Section 44‑53‑470 of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“Section 44‑53‑470. (A) An offense is considered a second or subsequent offense if:

(1) for an offense involving marijuana pursuant to the provisions of this article, the offender has been convicted within the previous five years of a first violation of a marijuana possession provision of this article or of another state or federal statute relating to marijuana possession;

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(2) for an offense involving marijuana pursuant to the provisions of this article, the offender has at any time been convicted of a first, second, or subsequent violation of a marijuana offense provision of this article or of another state or federal statute relating to marijuana offenses, except a first violation of a marijuana possession provision of this article or of another state or federal statute relating to marijuana offenses;

(3) for an offense involving a controlled substance other than marijuana pursuant to this article, the offender has been convicted within the previous ten years of a first violation of a controlled substance offense provision, other than a marijuana offense provision, of this article or of another state or federal statute relating to narcotic drugs, depressants, stimulants, or hallucinogenic drugs; and

(4) for an offense involving a controlled substance other than marijuana pursuant to this article, the offender has at any time been convicted of a second or subsequent violation of a controlled substance offense provision, other than a marijuana offense provision, of this article or of another state or federal statute relating to narcotic drugs, depressants, stimulants, or hallucinogenic drugs.

(B) In addition to the above provisions, a conviction of trafficking in marijuana or trafficking in any other controlled substance in violation of this article or of another state or federal statute relating to trafficking in controlled substances must be considered a prior offense for purposes of any prosecution pursuant to this article.

(C) If a person is sentenced to confinement as the result of a conviction pursuant to this article, the time period specified in this section begins on the date of the conviction or on the date the person is released from confinement imposed for the conviction, whichever is later. For purposes of this section, confinement includes incarceration and supervised release, including, but not limited to, probation, parole, house arrest, community supervision, work release, and supervised furlough.”

SECTION 11. Section 56‑1‑396(F) of the 1976 Code, as added by Act 273 of 2010, is amended to read:

“(F) Qualifying suspensions include, and are limited to, suspensions pursuant to Sections 34‑11‑70, 56‑1‑120, 56‑1‑170, 56‑1‑185, 56‑1‑240, 56‑1‑270, 56‑1‑290, 56‑1‑460(A)(1), 56‑2‑2740, 56‑9‑351, 56‑9‑354, 56‑9‑357, 56‑9‑430, 56‑9‑490, 56‑9‑610, 56‑9‑620, 56‑10‑225, 56‑10‑240, 56‑10‑270, 56‑10‑520, 56‑10‑530, and 56‑25‑20. Qualifying suspensions do not include suspensions pursuant to Section 56‑5‑2990 or 56‑5‑2945, and do not include suspensions pursuant to Section 56‑1‑460 if the person drives a motor vehicle when the person’s license

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has been suspended or revoked pursuant to Section 56‑5‑2990 or 56‑5‑2945.”

SECTION 12. The repeal or amendment by the provisions of this act or any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 13. This act takes effect upon approval by the Governor./

Amend title to conform.

/s/Sen. Gerald Malloy /s/Rep. Michael W. Gambrell

/s/Sen. A. Shane Massey Rep. Christopher J. Murphy

/s/Sen. Paul Thurmond /s/Rep. J. David Weeks

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Remarks by Senator MALLOY**

Thank you, Mr. PRESIDENT. First I would like to thank Senator COURSON for giving us the opportunity to serve on First Steps Board of Trustees, and thank you to our subcommittee chairman, Senator HAYES, for always working with us. Susan and I are friends and have shared a lot of tears and laughter over the years -- over some of those educational issues. I’ll say that she’s always put her heart and soul into it. She has four children and I have four children. I have three boys and one girl and our children are just the opposite. Austin and I were in law school together -- a local boy married up and he did well. We appreciate your services as well.

Young ladies, I know that you all are very smart and your mom brags on you all of the time. We jockey over Furman, the University of South Carolina Honors College, and all of those things, and you should be very

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proud of her today. Susan, thank you for your services. It’s been a good, hard, tough run but if you look back at all the children that we have served during this time, I’ll say to you, job well done.

On motion of Senator COURSON, with unanimous consent, the remarks of Senator MALLOY, were ordered printed in the Journal.

**Privilege of the Chamber**

    On motion of Senator BRYANT, on behalf of Senator FAIR, the Privilege of the Chamber, to that area behind the rail, was extended to Ms. Susan DeVenny and her family.

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

**CARRIED OVER**

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

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

**CONCURRENCE**

S. 1076 -- Senator Hembree: A BILL TO AMEND SECTION 48‑39‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO UTILIZE

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CRITICAL AREAS, SO AS TO ESTABLISH THAT AN INDIVIDUAL DOES NOT NEED TO APPLY FOR A PERMIT TO DREDGE A MANMADE, PREDOMINATELY ARMORED, RECREATIONAL USE OR ESSENTIAL ACCESS CANAL.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

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

**Ayes 34; Nays 0**

**AYES**

Allen Bennett Bright

Bryant Campbell Cleary

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Johnson

Kimpson Leatherman Malloy

*Martin, Shane* Massey *Matthews, John*

*Matthews, Margie* McElveen Nicholson

Peeler Sabb Scott

Setzler Shealy Thurmond

Turner Verdin Williams

Young

**Total--34**

**NAYS**

**Total--0**

**Statement by Senators ALEXANDER and LARRY MARTIN**

We were temporarily out of the Chamber for the Governor’s Bill signing ceremony for the Domestic Violence Fatality Review Committee and would have voted in favor of concurrence in the House amendment.

On motion of Senator BENNETT the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

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

**DEBATE INTERRUPTED**

S. 997 -- Senators Bright, S. Martin, Peeler, Fair, Grooms, Corbin, Verdin and Bryant: A BILL TO AMEND CHAPTER 1, TITLE 43 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF SOCIAL SERVICES, BY ADDING SECTION 43‑1‑730 TO PROVIDE THAT REFUGEES PLACED IN THIS STATE BY THE FEDERAL GOVERNMENT MUST REGISTER WITH THE DEPARTMENT OF SOCIAL SERVICES; TO AMEND TITLE 15, CHAPTER 5 OF THE 1976 CODE, TO PROVIDE CIVIL LIABILITY FOR VOLUNTARY RESETTLEMENT ORGANIZATIONS ARISING FROM THE ACTIONS OF A REFUGEE PLACED IN THIS STATE TO WHOM THE ORGANIZATION PROVIDED SPONSORSHIP OR RESETTLEMENT SERVICES; TO PROHIBIT STATE OR LOCAL FUNDS BEING EXPENDED FOR THE DIRECT OR INDIRECT BENEFIT OF REFUGEES UNTIL LEGISLATION SPECIFICALLY AUTHORIZING THE EXPENDITURE IS ENACTED; AND TO DEFINE NECESSARY TERMS.

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

Senator BRYANT spoke on the Bill.

Debate was interrupted by adjournment.

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator BRYANT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Floy Lorene McGehee Hendershot McClellan of Anderson, S.C. Floy was well read, compassionate and generous. She was active in the Anderson County Republican Party. Floy was a loving mother and devoted grandmother who will be dearly missed.

and

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**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Claude Young of Lexington, S.C. Mr. Young was a Prisoner of War veteran of WWII and served in the United State Army. He retired from J. P. Stevens textile after 45 years in the textile industry. Claude was a member of Ware Shoals United Methodist Church and attended Lexington United Methodist Church. He was a lifelong member of Masonic Lodge #306. Claude was a loving father and devoted grandfather who will be dearly missed.

**ADJOURNMENT**

At 1:21 P.M., on motion of Senator BRYANT, the Senate adjourned to meet tomorrow at 2:00 P.M.

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