

NO. 5

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2016

TUESDAY, JANUARY 19, 2016

**Tuesday, January 19, 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:

As the Psalmist reminds us:

“When I look at Your heavens, the work of Your fingers, the moon and the stars that You have established, what are humans that You are mindful of them, mortals that You care for them?” (Psalm 8:3-4)

Friends, let us pray:

We know, dear God, that Martin Luther King, Jr. cared greatly for the well-being of all people. We know equally well, Lord, that You expect the same of us. May it be that the heart of this Senate is always one that embraces in love and acceptance every person who dwells here in South Carolina. May this reality bind us together as one people who choose to live and work for the good of all. Indeed, we will be a stronger State -- and much more the people you desire us to be, Lord -- if we will simply labor constantly to achieve this end. Seeking Your guidance always, we pray this in Your loving name, Lord. Amen.

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

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

Local Appointment

Reappointment, Charleston Naval Facilities Redevelopment Authority, with the term to commence April 24, 2015, and to expire April 24, 2019

Dorchester County:

Ronnie M. Givens, 311 Sumter Ave., Summerville, SC 29483

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

[SJ]

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Document No. 4592

Agency: Department of Labor, Licensing and Regulation - Panel for Dietetics

Chapter: 40

Statutory Authority: 1976 Code Sections 40-1-70, 40-20-50 and 40-20-80

SUBJECT: Continuing Competency; Continuing Education Credits

Received by Lieutenant Governor January 14, 2016

Referred to Committee on Medical Affairs

Document No. 4601

Agency: Department of Labor, Licensing and Regulation - Board of Barber Examiners

Chapter: 17

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-7-50, and 40-7-60

SUBJECT: Minimum Requirements for Licensing of Cosmetologists as Master Hair Care Specialists

Received by Lieutenant Governor January 14, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4602

Agency: Department of Labor, Licensing and Regulation - Building Codes Council

Chapter: 8

Statutory Authority: 1976 Code Sections 6-8-20, 6-9-40, 6-9-63(E), and 40-1-70

SUBJECT: 2015 Edition of International Codes and 2014 Edition of the National Electrical Code

Received by Lieutenant Governor January 15, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4617

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Chapter: 71

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

SUBJECT: Explosives

Received by Lieutenant Governor January 15, 2016

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Referred to Committee on Labor, Commerce and Industry

Document No. 4618

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Chapter: 71

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

SUBJECT: Fire Prevention and Life Safety

Received by Lieutenant Governor January 15, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4619

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Chapter: 71

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

SUBJECT: Fire Prevention and Life Safety for Special Occupancies

Received by Lieutenant Governor January 15, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4620

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Chapter: 71

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

SUBJECT: Fireworks and Pyrotechnics

Received by Lieutenant Governor January 15, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4621

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Chapter: 71

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

SUBJECT: Hydrogen Facilities

Received by Lieutenant Governor January 15, 2016

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Referred to Committee on Labor, Commerce and Industry

Document No. 4622

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Chapter: 71

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

SUBJECT: Liquefied Petroleum (LP) Gas

Received by Lieutenant Governor January 14, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4623

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Chapter: 71

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

SUBJECT: Portable Fire Extinguishers and Fixed Fire Extinguishing Systems

Received by Lieutenant Governor January 15, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4626

Agency: Department of Labor, Licensing and Regulation - Board of Dentistry

Chapter: 39

Statutory Authority: 1976 Code Sections 40-1-50(D), 40-1-70, and 40-15-40(G)

SUBJECT: Guidelines for Sedation and General Anesthesia

Received by Lieutenant Governor January 14, 2016

Referred to Committee on Medical Affairs

Document No. 4627

Agency: Department of Labor, Licensing and Regulation - Board of Registration for Foresters

Chapter: 53

Statutory Authority: 1976 Code Sections 40-1-70 and 48-27-80

SUBJECT: Fees for Registration and Renewal

Received by Lieutenant Governor January 14, 2016

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Referred to Committee on Fish, Game and Forestry

Document No. 4628

Agency: Department of Labor, Licensing and Regulation - Residential Builders Commission

Chapter: 106

Statutory Authority: 1976 Code Sections 40-1-70 and 40-59-70

SUBJECT: Classification of Residential Specialty Contractors

Received by Lieutenant Governor January 14, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4629

Agency: Department of Labor, Licensing and Regulation - Residential Builders Commission

Chapter: 106

Statutory Authority: 1976 Code Sections 40-1-70 and 40-59-70

SUBJECT: Residential Specialty Contractors License

Received by Lieutenant Governor January 14, 2016

Referred to Committee on Labor, Commerce and Industry

Document No. 4630

Agency: Department of Labor, Licensing and Regulation - Residential Builders Commission

Chapter: 106

Statutory Authority: 1976 Code Sections 40-1-70 and 40-59-70

SUBJECT: Residential Specialty Contractors License

Received by Lieutenant Governor January 14, 2016

Referred to Committee on Labor, Commerce and Industry

Doctor of the Day

Senator CAMPSER introduced Dr. Alexander W. Ramsay, MD of Charleston, S.C., Doctor of the Day.

CO-SPONSORS ADDED

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

S. 29 Sen. Fair
S. 128 Sen. Shealy
S. 719 Sen. Shealy
S. 995 Sen. Setzler

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CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 911 Sen. Cromer

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 998 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE ABBEVILLE HIGH SCHOOL VARSITY FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2015 CLASS AA DIVISION II STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 999 -- Senator Sheheen: A BILL TO AMEND SECTION 5-3-120 OF THE 1976 CODE, RELATING TO AN ALTERNATE METHOD OF ANNEXATION FOR PROPERTY OWNED BY A CORPORATION, TO PROVIDE THAT BLIGHTED PROPERTY MAY BE ANNEXED BY A MUNICIPALITY BY ORDINANCE UPON CERTAIN FINDINGS PROVIDED THE MUNICIPALITY IS OF A CERTAIN SIZE AND LOCATED WITH A CERTAIN SIZED COUNTY.

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

S. 1000 -- Senator Sheheen: A BILL TO PERMIT THE TOWN OF CAMDEN TO ANNEX CERTAIN REAL PROPERTY BY ORDINANCE UPON FINDING THAT THE PROPERTY IS BLIGHTED.

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

S. 1001 -- Senator Sheheen: A BILL TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATED TO ABORTIONS, TO PROVIDE THAT NO PERSON, ENTITY, OR ASSOCIATION SHALL OFFER OR ACCEPT MONEY OR ANYTHING OF VALUE

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FOR AN ABORTED FETUS OR ANY PORTION OF AN ABORTED FETUS; AND TO PROVIDE FOR PENALTIES.

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

S. 1002 -- Senator Cleary: A BILL TO AMEND SECTION 4-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOUNDARIES OF THE MURRELL'S INLET-GARDEN CITY FIRE DISTRICT, SO AS TO REVISE THE BOUNDARIES; AND TO REPEAL SECTION 4-23-15 RELATING TO THE BOUNDARIES OF THE SAME DISTRICT.

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

S. 1003 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, TO PROVIDE THAT A SCHOOL DISTRICT OF THIS STATE MUST BE COMPRISED OF AT LEAST TWO THOUSAND FIVE HUNDRED STUDENTS ENROLLED IN THE SCHOOLS OF THE DISTRICT TO RECEIVE STATE APPROPRIATIONS, AND TO PROVIDE FOR AN EXCEPTION.

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

S. 1004 -- Senators Young and Turner: A BILL TO AMEND SECTION 2-19-80 OF THE 1976 CODE, RELATING TO THE ELECTION OF JUSTICES AND JUDGES, TO PROVIDE THAT THE NAMES OF EACH QUALIFIED CANDIDATE, RATHER THAN THE NAMES OF THE THREE CANDIDATES THE COMMISSION DEEMS BEST QUALIFIED, MUST BE SUBMITTED TO THE GENERAL ASSEMBLY.

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

S. 1005 -- Senators Young and Turner: A BILL TO AMEND CHAPTER 11, TITLE 11 OF THE 1976 CODE, RELATING TO THE STATE BUDGET SYSTEM, TO PROVIDE THAT THE EXECUTIVE BUDGET OFFICE MUST COMPILE INFORMATION FROM EACH STATE AGENCY AND INSTITUTION DETAILING THE CATEGORIES AND AMOUNTS OF "OTHER FUNDS" BALANCES

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CARRIED FORWARD FROM THE MOST RECENTLY ENDED FISCAL YEAR INTO THE CURRENT FISCAL YEAR AND THOSE USES TO WHICH THESE BALANCES WILL BE APPLIED, TO REQUIRE THE EXECUTIVE BUDGET OFFICE TO REPORT ITS COMPILATION TO THE GENERAL ASSEMBLY NO LATER THAN NOVEMBER FIRST OF EACH YEAR, AND TO DEFINE "OTHER FUNDS".

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

S. 1006 -- Senator Hembree: A BILL TO AMEND SECTION 48-39-130(D)(10) OF THE 1976 CODE, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, TO ALLOW FOR INDIVIDUALS TO DREDGE MANMADE, PREDOMINANTLY ARMORED, RECREATIONAL USE CANALS AND ESSENTIAL ACCESS CANALS IN EXISTING NAVIGATIONAL CANAL COMMUNITY DEVELOPMENTS WITHOUT HAVING TO OBTAIN A PERMIT.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1007 -- Senator Lourie: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF FOREST DRIVE AND BELTLINE BOULEVARD IN THE CITY OF FOREST ACRES "OFFICER GREGORY THOMAS ALIA INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1008 -- Senator L. Martin: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 7A AND 19 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2016.

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Read the first time and, on motion of Senator HAYES, with unanimous consent, S. 1008 was ordered placed on the Calendar without reference.

S. 1009 -- Senator Grooms: A CONCURRENT RESOLUTION TO RESPECTFULLY AND HUMBLY ISSUE A "CALL TO PRAYER" FOR THE STATE OF SOUTH CAROLINA AND INVITE HER CITIZENS EVERYWHERE TO PRAY THAT GOD WILL CONTINUE TO BLESS THIS COUNTRY, OUR NOBLE STATE, AND THE FREEDOMS FOR WHICH THEY STAND.

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

S. 1010 -- Senator Cromer: A SENATE RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 17, 2016, AS "UNCLAIMED PROPERTY DAY" AND IN DOING SO, URGE ALL CITIZENS TO UTILIZE THE OFFICE OF STATE TREASURER'S DATABASE TO SEARCH FOR UNCLAIMED PROPERTY FOR THEMSELVES, THEIR FRIENDS AND FAMILY, AND THEIR BUSINESSES.

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

H. 4632 -- Rep. Allison: A JOINT RESOLUTION TO REVISE APPLICABILITY OF CERTAIN STUDENT ASSESSMENT STATUTES FOR THE 2015-2016 SCHOOL YEAR.

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

Senator COURSON asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

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

H. 4672 -- Reps. Clemmons, Mack and Bannister: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2016, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 2, UPON HIS

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SWEARING IN AS CHIEF JUSTICE OF THE SUPREME COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 10, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2015, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 3, WHOSE

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TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 3 UPON HER RETIREMENT ON OR BEFORE JUNE 30, 2016, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH EXPIRES ON JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF

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THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2016.

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Senator CLEARY from the Committee on Invitations polled out H. 4350 favorable:

H. 4350 -- Rep. Anderson: A CONCURRENT RESOLUTION TO AUTHORIZE THE ANNUAL YOUTH LEGISLATIVE CONFERENCE TO USE THE SENATE AND HOUSE CHAMBERS, AT A DATE AND TIME TO BE DETERMINED BY THE PRESIDENT PRO TEMPORE AND THE SPEAKER, FOR THE PURPOSE OF ITS ANNUAL MOCK SESSION AND TO CONGRATULATE THE CONFERENCE FOR CONTINUING TO PROVIDE THIS MOST WORTHWHILE OPPORTUNITY TO THE YOUNG PEOPLE PARTICIPATING.

Poll of the Invitations Committee

Polled 11; Ayes 11; Nays 0

AYES

Cleary
Verdin
Malloy
McElveen

Alexander
Campsen
Johnson
Campbell

Reese
Cromer
Kimpson

Total--11

NAYS

Total--0

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Ordered for consideration tomorrow.

Appointment Reported

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2013, and to expire April 6, 2019

2nd Congressional District:

Ginger D. Macaulay, 1044 Old Orangeburg Rd., Lexington, SC 29073
VICE Vanessa B. Brooks

Received as information.

HOUSE CONCURRENCE

S. 992 -- Senators Shealy, Courson, Cromer, Setzler and Massey: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SHERRY P. CARIENS, PRINCIPAL OF OAK GROVE ELEMENTARY SCHOOL, FOR HER YEARS AS AN OUTSTANDING EDUCATOR IN THE PALMETTO STATE, AND TO CONGRATULATE HER FOR BEING NAMED THE 2016 SOUTH CAROLINA ELEMENTARY PRINCIPAL OF THE YEAR.

Returned with concurrence.

Received as information.

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

CARRIED OVER

H. 3849 -- Rep. Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-45 SO AS TO EXEMPT PERSONALLY IDENTIFIABLE INFORMATION IN CERTAIN EVALUATIONS OF PUBLIC SCHOOL EDUCATORS AND STUDENT TEACHERS FROM PUBLIC DISCLOSURE.

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

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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.

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

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

On motion of Senator LEATHERMAN, the Bill was 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

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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 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 CAMPBELL, the Bill was carried over.

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

MOTION ADOPTED

At 12:25 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 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

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AMEND SECTION 56-1-720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT "ENDANGERMENT OF A HIGHWAY WORKER" VIOLATIONS RANGE BETWEEN TWO AND SIX POINTS; AND TO REPEAL SECTION 56-5-1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

CARRIED OVER

H. 3579 -- Reps. Simrill, White, Lucas, Allison, Henderson, Limehouse, Newton, Ott, Clary, Collins, Delleney, Forrester, Gambrell, Hardwick, Hiott, Horne, Merrill, D.C. Moss, V.S. Moss, Murphy, Pitts, Sandifer, G.M. Smith, Sottile, Spires, Wells, Whitmire, Yow, Jefferson, Erickson, Funderburk, Hosey, Hixon, Clyburn, Knight, Herbkersman, H.A. Crawford, Felder, Willis, McCoy, Bradley, Douglas, Norrell, Long, Bales, Daning, Loftis, Tallon, Anthony, Howard, Gagnon, Riley, Williams, Hayes, G.A. Brown, R.L. Brown, Hart, Weeks, Whipper, Pope, Tinkler, Hicks, Brannon, Corley, Clemmons, Johnson, George, Alexander, Anderson and Duckworth: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA INFRASTRUCTURE FINANCE REFORM AND TAX RELIEF ACT"; TO AMEND SECTIONS 57-1-310, 57-1-320, 57-1-325, AND 57-1-330, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT ALL THE COMMISSIONERS MUST BE APPOINTED BY THE GOVERNOR AND SERVE AT THE PLEASURE OF THE GOVERNOR, TO PROVIDE THAT APPOINTEES MUST BE SCREENED BY THE JOINT TRANSPORTATION REVIEW COMMITTEE, AND TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER FOR MORE THAN TWELVE YEARS AND NO COUNTY MAY HAVE A RESIDENT COMMISSIONER FOR MORE THAN TWELVE CONSECUTIVE YEARS; TO AMEND SECTION 57-1-410, AS AMENDED, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE

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THAT THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, INSTEAD OF THE GOVERNOR, SHALL APPOINT THE SECRETARY; TO AMEND SECTIONS 57-1-730 AND 57-1-740, AS AMENDED, RELATING RESPECTIVELY TO THE DUTIES OF THE JOINT TRANSPORTATION REVIEW COMMITTEE, BOTH SO AS TO REQUIRE THE COMMITTEE TO SCREEN APPOINTEES TO THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION IN A SIMILAR MANNER AS CURRENTLY ELECTED COMMISSIONERS ARE SCREENED; BY ADDING SECTION 57-1-95 SO AS TO PROHIBIT THE COMMENCEMENT OF ANY NEW ROAD CONSTRUCTION PROJECTS IN THIS STATE UNTIL JULY 1, 2020, AND TO PROVIDE EXCEPTIONS; TO AMEND SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO INCREASE THE BOARD TO THIRTEEN MEMBERS AND TO SET FORTH THE MEMBERSHIP, AND TO PROVIDE THAT NO MEMBER MAY SERVE MORE THAN TWELVE YEARS; TO AMEND SECTION 11-43-180, RELATING TO FINANCIAL ASSISTANCE GIVEN BY THE INFRASTRUCTURE BANK, SO AS TO PROHIBIT THE BANK FROM PROVIDING ANY LOANS OR OTHER FINANCIAL ASSISTANCE TO ANY PROJECT UNLESS THE ELIGIBLE COSTS OF THE PROJECT ARE AT LEAST TWENTY-FIVE MILLION DOLLARS; BY ADDING SECTION 11-43-265 SO AS TO REQUIRE THE INFRASTRUCTURE BANK TO PRIORITIZE ALL PROJECTS IN ACCORDANCE WITH THE PRIORITIZATION CRITERIA ESTABLISHED IN ACT 114 OF 2007, AND TO PROVIDE AN EXCEPTION; BY ADDING SECTION 57-1-100 SO AS TO SET FORTH THE OPTIONAL PROCESS BY WHICH THE DEPARTMENT OF TRANSPORTATION TRANSFERS CERTAIN STATE ROADS TO THE COUNTIES OF THIS STATE, TO INCREASE THE AMOUNT DISTRIBUTED TO THE PARTICIPATING COUNTIES OVER TIME, TO PROVIDE THAT EACH PARTICIPATING COUNTY MUST RECEIVE ONE MILLION DOLLARS BEFORE THE FUNDS ARE DISTRIBUTED BASED ON A FORMULA, TO AMEND SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF THE GASOLINE USER FEE TO THE COUNTIES OF THIS STATE, TO ABOLISH THE CURRENT COUNTY TRANSPORTATION COMMITTEES AND THEN RECONSTITUTE THEM WITH THE ADDITION OF

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MUNICIPAL REPRESENTATION, AND TO SPECIFY THE MANNER IN WHICH "C" FUNDS MUST BE EXPENDED; TO AMEND SECTIONS 56-5-4210 AND 56-5-4220, BOTH RELATING TO ROAD RESTRICTIONS, SO AS TO SPECIFY CERTAIN RESTRICTIONS ON LOCALITIES; TO AMEND SECTION 12-28-310, RELATING TO THE USER FEE ON GASOLINE, SO AS TO REDUCE THE FEE TO TEN CENTS A GALLON; TO AMEND SECTION 56-11-410, RELATING TO THE ROAD TAX, SO AS TO REDUCE THE TAX TO TEN CENTS A GALLON; TO AMEND SECTION 56-11-450, RELATING TO THE CREDIT AGAINST ROAD TAX, SO AS TO REDUCE THE CREDIT TO TEN CENTS A GALLON; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM TAX, SO AS TO INCREASE THE MAXIMUM TAX FROM THREE HUNDRED TO FIVE HUNDRED DOLLARS ON THE SALE OR LEASE OF A MOTOR VEHICLE; TO AMEND SECTION 12-36-2647, RELATING TO THE TAX REVENUES COLLECTED FROM THE SALE OR LEASE OF A MOTOR VEHICLE, SO AS TO CREDIT ALL THE REVENUES TO THE STATE HIGHWAY FUND EXCEPT FOR CERTAIN AMOUNTS THAT ARE USED FOR THE EDUCATION IMPROVEMENT ACT; BY ADDING ARTICLE 4 TO CHAPTER 28, TITLE 12 SO AS TO IMPOSE AN EXCISE TAX ON THE WHOLESALE PRICE OF MOTOR FUEL EQUAL TO THE CUMULATIVE STATE SALES TAX RATE, TO PROVIDE THAT THE REVENUE MUST BE CREDITED TO THE STATE HIGHWAY FUND, TO PROVIDE THAT THE EXCISE TAX MAY NOT EXCEED THE EQUIVALENT OF SIXTEEN CENTS A GALLON, AND TO PROVIDE THE MANNER IN WHICH THE EXCISE TAX IS CALCULATED AND ADMINISTERED; BY ADDING ARTICLE 9 TO CHAPTER 11, TITLE 57 SO AS TO IMPOSE AN EXCISE TAX ON MOTOR CARRIERS IN THE SAME MANNER AS THE EXCISE TAX ON MOTOR FUEL; AND TO AMEND SECTION 12-6-510, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12-6-520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

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

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LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Charleston Naval Facilities Redevelopment Authority, with the term to commence April 24, 2015, and to expire April 24, 2019

Dorchester County:

Ronnie M. Givens, 311 Sumter Ave., Summerville, SC 29483

Motion Adopted

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

ADJOURNMENT

At 12:28 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 2:00 P.M.

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