

NO. 11

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2016

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THURSDAY, JANUARY 28, 2016

**Thursday, January 28, 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:

The Psalmist reminds us:

“I lift my eyes to the hills -- where does my help come from?”

(Psalm 121:1)

Bow with me in prayer, please:

Holy God, we know how important the hills of Jerusalem were -- and are -- to believers. In much the same fashion, we cannot escape from the power of South Carolina’s Piedmont and of our mountains which climb to the northwest. Once again, we are struck by not just the diversity but also by the richness of the resources which are so very much a part of our DNA here in this State we love. Whether it is Sassafras Mountain or Table Rock or even the rolling hills near Cowpens and Thicketty, we thank You, Lord, for Your gifts to us. Again, guide these Senators as they strive in so many ways to enhance all of South Carolina’s natural resources -- and to improve our highways which allow us access to these places -- and to bring about great benefit for our citizens. In Your wondrous name we pray, Lord. Amen.

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

**Point of Quorum**

At 11:06 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**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	Campbell	Campsen
Cleary	Corbin	Cromer
Davis	Fair	Gregory

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Grooms	Hembree	Kimpson
Leatherman	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	<i>Matthews, Margie</i>	McElveen
Nicholson	Peeler	Sabb
Scott	Setzler	Shealy
Sheheen	Thurmond	Turner

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senator TURNER introduced of Dr. Robert Morgan of Greenville, S.C., Doctor of the Day.

**Leave of Absence**

At 11:07 A.M., Senator GROOMS requested a leave of absence for Senator VERDIN for the day.

**Leave of Absence**

At 11:10 A.M., Senator CROMER requested a leave of absence for Senator COURSON until 2:00 P.M.

**Expression of Personal Interest**

Senator KIMPSON rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator BRYANT rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 719 Sen. Massey  
S. 198 Sen. Cleary  
S. 997 Sen. Bryant  
S. 267 Sens. L. Martin, Davis, Bryant, S. Martin, Bright and Hayes  
S. 315 Sen. Campsen  
S. 1009 Sens. Fair, L. Martin and Bright

**RECALLED**

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

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CITIZENS EVERYWHERE TO PRAY THAT GOD WILL CONTINUE TO BLESS THIS COUNTRY, OUR NOBLE STATE, AND THE FREEDOMS FOR WHICH THEY STAND.

Senator CLEARY asked unanimous consent to make a motion to recall the Resolution from the Committee on Invitations.

The Resolution was recalled from the Committee on Invitations.

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

Senator HUTTO objected.

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

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1034 -- Senators Courson and Setzler: A SENATE RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA ON ITS OUTSTANDING ACHIEVEMENTS, TO HONOR THE INSTITUTION'S COMMITMENT TO QUALITY EDUCATION, TO WISH CONTINUED SUCCESS IN ALL THE SCHOOL'S FUTURE ENDEAVORS, AND TO RECOGNIZE FEBRUARY 3, 2016, AS "CAROLINA DAY" AT THE STATE HOUSE.

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The Senate Resolution was adopted.

S. 1035 -- Senators Cleary and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA TELEMEDICINE ACT" BY ADDING SECTION 40-47-37 SO AS TO FACILITATE THE USE OF TELEMEDICINE BY ESTABLISHING CERTAIN RECORDKEEPING REQUIREMENTS; TO AMEND SECTION 40-47-20, RELATING TO DEFINITIONS USED IN CHAPTER 47, TITLE 40, SO AS TO PROVIDE DEFINITIONS FOR "ASYNCHRONOUS STORE AND FORWARD TRANSFER" AND

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"TELEMEDICINE"; AND TO AMEND SECTION 40-47-113, RELATING TO THE REQUIREMENT OF A PHYSICIAN-PATIENT RELATIONSHIP BEFORE A PHYSICIAN MAY PRESCRIBE DRUGS FOR A PATIENT, SO AS TO ALLOW THE PRESCRIPTION OF DRUGS WHEN THE PHYSICIAN-PATIENT RELATIONSHIP IS ESTABLISHED BY TELEMEDICINE.

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

S. 1036 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-15-176 SO AS TO PROVIDE THE STATE BOARD OF DENTISTRY MAY ISSUE RESTRICTED DENTAL AUXILIARY INSTRUCTORS' LICENSES TO DENTISTS WHO MEET CERTAIN REQUIREMENTS, TO PROVIDE LICENSED DENTAL AUXILIARY INSTRUCTORS MAY PRACTICE DENTISTRY IN LIMITED CIRCUMSTANCES ASSOCIATED WITH CERTAIN ACCREDITED DENTAL AUXILIARY PROGRAMS OF TECHNICAL COLLEGES, AND TO PROVIDE FOR THE RENEWAL AND REVOCATION OF RESTRICTED DENTAL AUXILIARY LICENSES; AND TO AMEND SECTION 40-15-175, RELATING TO RESTRICTED INSTRUCTORS' LICENSES ISSUED BY THE BOARD, SO AS TO REVISE CRITERIA FOR LICENSURE AND REQUIRE RENEWAL BIENNIALY INSTEAD OF ANNUALLY.

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

S. 1037 -- Senator Alexander: A BILL TO AMEND SECTION 40-47-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF TEAM PHYSICIANS OF ATHLETIC TEAMS VISITING THE STATE FOR A SPECIFIC SPORTING EVENT FROM PHYSICIAN LICENSING REQUIREMENTS IN THIS STATE, SO AS TO EXPAND THE EXEMPTION TO INCLUDE TEAM PHYSICIANS OF ATHLETIC TEAMS VISITING THE STATE FOR A TEAM TRAINING CAMP.

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

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S. 1038 -- Senators Fair, Malloy, Sheheen, McElveen and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-152-15 SO AS TO PROVIDE THE SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS IS REAUTHORIZED UNTIL JULY 1, 2021, AND WILL AUTOMATICALLY BE REAUTHORIZED FOR FIVE-YEAR PERIODS AT FIVE-YEAR INTERVALS THEREAFTER.

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Senators FAIR and MALLOY spoke on the Bill.

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

**Remarks to be Printed**

On motion of Senator SHANE MARTIN, with unanimous consent, the remarks of Senator FAIR, when reduced to writing and made available to the Desk, would be printed in the Journal.

S. 1039 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE NINETY SIX HIGH SCHOOL MARCHING BAND, DIRECTORS, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2015 CLASS A STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 1040 -- Senator Shealy: A BILL TO AMEND SECTION 40-11-270 OF THE 1976 CODE, RELATING TO CONTRACTOR'S LICENSES AND LICENSE CLASSIFICATIONS AND SUBCLASSIFICATIONS, TO PROVIDE THAT EACH PERSON HOLDING A LICENSE IN THE MECHANICAL CONTRACTOR SUBCLASSIFICATION OF AIR CONDITIONING, HEATING, OR PACKAGED EQUIPMENT SHALL DISPLAY THE MECHANICAL CONTRACTOR LICENSE IN A CONSPICUOUS MANNER AT HIS PRINCIPAL PLACE OF BUSINESS, TO PROVIDE THAT ALL COMMERCIAL VEHICLES USED BY MECHANICAL CONTRACTORS LICENSED IN THE SUBCLASSIFICATION OF AIR CONDITIONING, HEATING, OR PACKAGED EQUIPMENT EXCLUSIVELY IN THE DAILY OPERATION OF THEIR BUSINESS SHALL HAVE PROMINENTLY DISPLAYED ON

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THEM THE MECHANICAL CONTRACTOR LICENSE NUMBER, AND TO PROVIDE THAT THE MECHANICAL CONTRACTOR LICENSE NUMBER ALSO MUST BE PROMINENTLY DISPLAYED ON ANY ADVERTISING IN THE YELLOW PAGES, NEWSPAPERS, WEBSITES, SOCIAL MEDIA MARKETING, OR OTHER MEDIUMS RELATING TO WORK WHICH THE MECHANICAL CONTRACTOR LICENSE HOLDER PURPORTS TO HAVE THE CAPACITY TO PERFORM, AND ALSO ON PROPOSALS AND INVOICES.

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

S. 1041 -- Senators Shealy and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "SUPPORTING AND STRENGTHENING FAMILIES ACT", TO ALLOW PARENTS AND PERSONS WITH LEGAL CUSTODY OF A CHILD TO DELEGATE CAREGIVING AUTHORITY FOR THE CHILD TEMPORARILY TO AN ADULT BY EXECUTION OF A POWER OF ATTORNEY, TO PROVIDE FOR THE REQUIREMENTS AND LIMITATIONS OF THE DELEGATION OF CAREGIVING AUTHORITY AND THE RIGHT TO REVOKE THE POWER OF ATTORNEY, AND FOR OTHER PURPOSES; TO AMEND SECTION 63-7-920, AS AMENDED, RELATING TO INVESTIGATIONS OF SUSPECTED CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE CERTAIN INFORMATION ABOUT COMMUNITY SUPPORTIVE SERVICES TO A PARENT WHEN THE INVESTIGATION DOES NOT RESULT IN PLACEMENT OF THE CHILD OUTSIDE OF THE HOME; AND TO AMEND SECTION 63-13-20, RELATING TO THE DEFINITION OF A CHILDCARE FACILITY, SO AS TO EXCLUDE AN ADULT DESIGNATED AS AN ATTORNEY-IN-FACT FOR A CHILD IN A POWER OF ATTORNEY EXECUTED PURSUANT TO ARTICLE 7, CHAPTER 15, TITLE 63.

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

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S. 1042 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ALIGNMENT OF ASSESSMENT AND ACCOUNTABILITY ELEMENTS WITH THE NO CHILD LEFT BEHIND ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4603, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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.

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

S. 1044 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO TEST SECURITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4606, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1045 -- Senator Hayes: A CONCURRENT RESOLUTION TO RECOGNIZE YORK COUNTY AS A VITAL PART OF THE PALMETTO STATE AND TO DECLARE FEBRUARY 23, 2016, "YORK COUNTY DAY" IN SOUTH CAROLINA.

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

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S. 1046 -- Senator Grooms: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND AS A MEMBER OF THE UNITED STATES SENATE.

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

H. 4145 -- Reps. White, Clemmons, Goldfinch, Yow, W. J. McLeod, Horne, Murphy, Erickson, Duckworth, Gagnon, Gambrell, Hardwick, Jordan, Long, Lowe, Pitts, Sandifer, Thayer, Willis, Loftis, Alexander, Johnson, Whipper, M. S. McLeod, Mitchell, Henegan, Anderson, Rivers and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 1, TITLE 13 SO AS TO CREATE THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, TO DEVELOP A COMPREHENSIVE PLAN FOR WORKFORCE TRAINING AND EDUCATION UNDER THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE DEFINITIONS, TO ESTABLISH THE DUTIES OF THE COUNCIL, TO ESTABLISH TO WHOM THE COMPREHENSIVE PLAN MUST BE SUBMITTED AND THE CONTENTS REQUIRED, TO PROVIDE FOR PROGRAM EVALUATIONS, TO PROVIDE FOR A BIENNIAL ASSESSMENT BY THE COUNCIL, TO PROVIDE THAT THE COUNCIL SHALL IMPROVE COORDINATION OF WORKFORCE DEVELOPMENT IN THE STATE, TO PROVIDE FOR THE CREATION OF A STATE STRATEGIC PLAN FOR SUPPLY OF HEALTH CARE PERSONNEL, TO PROVIDE THAT THE WORKFORCE DEVELOPMENT COUNCILS SHALL DEVELOP AND MAINTAIN A LOCAL UNIFIED PLAN FOR THE WORKFORCE DEVELOPMENT SYSTEM; BY ADDING ARTICLE 29 TO CHAPTER 53, TITLE 59 SO AS TO DEVELOP AND IMPLEMENT A CAREER PATHWAYS FOR SUCCESS INITIATIVE, TO ESTABLISH A PATHWAYS TO FIRST CAREERS PROGRAM,

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AND TO ESTABLISH A PATHWAYS TO NEW OPPORTUNITIES PROGRAM; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO HIRE AN APPRENTICE; BY ADDING SECTION 59-53-110 SO AS TO CREATE A WORKFORCE SCHOLARSHIP AND GRANT FUND; AND BY ADDING SECTION 12-6-3765 SO AS TO PROVIDE A TAX CREDIT FOR TAXPAYERS WHO CONTRIBUTE TO THE WORKFORCE SCHOLARSHIP AND GRANT FUND.

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

H. 4443 -- Rep. Gilliard: A CONCURRENT RESOLUTION TO DECLARE JUNE 17, 2016, AS MOTHER EMANUEL NINE DAY AND TO ENCOURAGE ALL STATE AGENCIES TO REFLECT ON THE PROGRESS MADE IN IMPROVING RACE RELATIONS AND ECONOMIC EQUALITY FOR MINORITIES AS WELL AS THE EFFORTS TO HELP THE HOMELESS IN SOUTH CAROLINA.

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

H. 4462 -- Rep. Jefferson: A CONCURRENT RESOLUTION TO DECLARE THE MONTH OF JUNE 2016 AS "BRADLEY S. BLAKE MONTH" IN SOUTH CAROLINA TO HONOR THE LEGACY OF BRADLEY S. BLAKE, TO RECOGNIZE THE ACCOMPLISHMENTS OF THE BRADLEY S. BLAKE FOUNDATION, AND TO PROMOTE THE REDUCTION OF GUN VIOLENCE IN THIS STATE.

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

H. 4573 -- Reps. J. E. Smith, Clyburn, Hosey, Yow and Douglas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-11-100 SO AS TO DESIGNATE THE SUBSTANTIVE PROVISIONS OF ACT 127 OF 2015 RELATING TO THE STATE AND LOCAL LEVEL VETERANS ISSUES STUDY COMMITTEE, TO EXTEND THE DATE ON WHICH THE STUDY COMMITTEE MUST BE DISSOLVED, AND TO REQUIRE BIENNIAL REPORTS.

Read the first time and referred to the General Committee.

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H. 4660 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38-43-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS EXCLUDED FROM LICENSURE AS AN INSURANCE PRODUCER OR AN INSURANCE AGENCY, SO AS TO EXCEPT FROM THESE EXCLUSIONS A LICENSED PROPERTY AND CASUALTY INSURANCE PRODUCER WHO PLACES SURPLUS LINES INSURANCE THROUGH A LICENSED INSURANCE BROKER; TO AMEND SECTION 38-43-50, RELATING TO LIMITED LINE AND SPECIAL PRODUCER LICENSURE, SO AS TO PROVIDE THAT A LICENSED PROPERTY CASUALTY INSURANCE PRODUCER MAY PLACE SURPLUS LINES INSURANCE THROUGH A LICENSED INSURANCE BROKER WITHOUT BEING APPOINTED BY THE SURPLUS LINES INSURER; AND TO AMEND SECTION 38-1-20, RELATING TO DEFINITIONS CONCERNING THE INSURANCE LAW OF THIS STATE, AND SECTION 38-45-10, RELATING TO DEFINITIONS CONCERNING INSURANCE BROKERS AND SURPLUS PROPERTY LINES INSURANCE, SO AS TO MAKE CONFORMING CHANGES TO RELATED TERMS.

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

H. 4662 -- Rep. Gambrell: A BILL TO REENACT THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT AND RELATED PROVISIONS, ENACTED BY SECTIONS 1, 2, 3, AND 5, ACT 339 OF 2008, WHICH EXPIRED ON JUNE 1, 2014, AND TO MAKE THESE REENACTED PROVISIONS RETROACTIVE TO THIS EXPIRATION DATE, AND TO SPECIFICALLY NOT REENACT CERTAIN OBSOLETE PROVISIONS.

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

H. 4663 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION PLACE SIGNS ALONG SOUTH CAROLINA HIGHWAY 39 AT THE NORTHERN AND SOUTHERN ENTRANCES TO THE TOWN OF SALLEY THAT CONTAIN THE WORDS "LUKE PARSONS 2015 U.S. KIDS GOLF WORLD CHAMPION".

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

H. 4678 -- Reps. Bernstein and M. S. McLeod: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES INTERSTATE HIGHWAY 20 ALONG TRENHOLM ROAD IN RICHLAND COUNTY "MARVIN CLIFTON 'CLIFF' MOORE, JR. MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CONTAIN THIS DESIGNATION.

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

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

H. 4749 -- Reps. Gagnon and Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROLAND L. WHITE, GENERAL MANAGER OF LITTLE RIVER ELECTRIC COOPERATIVE, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-NINE YEARS OF EXEMPLARY SERVICE TO LITTLE RIVER AND OTHER ELECTRIC COOPERATIVES, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

H. 4756 -- Reps. G. R. Smith and Willis: A CONCURRENT RESOLUTION TO CONGRATULATE THE PIEDMONT AMERICAN INDIAN ASSOCIATION/LOWER EASTERN

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CHEROKEE NATION OF SOUTH CAROLINA ON THE OUTSTANDING HONOR OF BEING RECOGNIZED AS A TRIBE BY THE SOUTH CAROLINA COMMISSION FOR MINORITY AFFAIRS.

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

H. 4790 -- Reps. Jefferson, Cobb-Hunter, Neal, Southard, Crosby, Daning, G. A. Brown, Anderson, Alexander, Allison, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cole, Collins, Corley, H. A. Crawford, 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, 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, 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, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE HONORABLE DEWITT WILLIAMS OF BERKELEY COUNTY, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

**Motion Adopted**

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

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**REPORTS OF STANDING COMMITTEES**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

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.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

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 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

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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.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 589 -- Senators Lourie and Leatherman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 85 TO TITLE 40 SO AS TO ENACT THE "MUSIC THERAPY PRACTICE ACT"; TO REGULATE THE PRACTICE OF MUSIC THERAPY; TO PROVIDE CERTAIN DEFINITIONS; TO CREATE THE SOUTH CAROLINA MUSIC THERAPY ADVISORY GROUP TO ASSIST THE DIRECTOR OF THE DEPARTMENT IN REGULATION OF THE PROFESSION OF MUSIC THERAPY; TO PROHIBIT THE PRACTICE OF MUSIC THERAPY WITHOUT A LICENSE; TO PROVIDE CRITERIA FOR LICENSURE; AND TO PROVIDE FOR THE USE OF A PROFESSIONAL DESIGNATION, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator COURSON from the Committee on Education submitted a favorable report on:

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.

Ordered for consideration tomorrow.

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Senator BRYANT from the General Committee submitted a majority favorable with amendment and Senator JOHNSON a minority unfavorable report on:

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.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

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.

Ordered for consideration tomorrow.

**THURSDAY, JANUARY 28, 2016**

**INVITATIONS ACCEPTED**

On motion of Senator CLEARY, with unanimous consent, the following invitations were polled favorably from the Committee on Invitations and ordered placed on the Calendar:

**Tuesday, February 2, 2016 - 1:00-2:30 P.M.**

Members of the Senate, Luncheon, Capitol City Club by the **SC ARTS ALLIANCE**

**Tuesday, February 2, 2016 6:00-8:00 P.M.**

Members of the Senate, Reception, Capitol City Club by the **FOUNDATION FOR THE SC GOVERNOR'S SCHOOL FOR SCIENCE AND MATH**

**Wednesday, February 3, 2016 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **SC HOUSING CORPORATION / SC HELP**

**Wednesday, February 3, 2016 12:00-2:00 P.M.**

Members of the Senate, Luncheon, Room 112, Blatt Building, by the **SC CHAPTER OF LANDSCAPE ARCHITECTS**

**Wednesday, February 3, 2016 5:30-7:00 P.M.**

Members of the Senate, Reception, The Marriott, by the **MUNICIPAL ASSOCIATION OF SOUTH CAROLINA**

**Wednesday, February 3, 2016 6:00-8:00 P.M.**

Members of the Senate, Reception, Capitol City Club, by the **ATLANTIC INSTITUTE OF SC**

**Thursday, February 4, 2016 8:00-10:00 A.M.**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC ASSOC. FOR COMMUNITY ECONOMIC DEVELOPMENT**

**Thursday, February 10, 2016 8:30-10:00 A.M.**

Members of the Senate, Breakfast, Room 112, Blatt Building, by the **SC LAND TRUST NETWORK**

**THURSDAY, JANUARY 28, 2016**

**Tuesday, February 16, 2016 6:00-8:00 P.M.**

Members of the Senate, Reception, The Palmetto Club, by the **SC GOVERNOR'S SCHOOL FOR THE ARTS FOUNDATION**

**Tuesday, February 16, 2016 7:00-9:00 P.M.**

Members of the Senate and Staff, Reception, The Palmetto Club, by the **COLLEGE OF CHARLESTON**

**Wednesday, February 17, 2016 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112 Blatt Building, by the **FOUNDATION FOR THE SC COMMISSION FOR THE BLIND**

**Wednesday, February 17, 2016 11:00-1:00 P.M.**

Members of the Senate and Staff, Luncheon, Room 112, Blatt Building, by the **SC ATHLETIC TRAINERS' ASSOCIATION**

**Wednesday, February 17, 2016 5:30-7:30 P.M.**

Members of the Senate and Staff, Reception, Embassy Suites, by the **SC ASSOCIATION OF COUNTIES**

**Wednesday, February 17, 2016 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, Capital City Club, by the **SC INSURANCE NEWS SERVICE**

**Thursday, February 18, 2016 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the **STATE FARM INSURANCE COMPANIES**

**Tuesday, February 23, 2016 6:00-8:00 P.M.**

Members of the Senate and Staff, Reception, Columbia Convention Center, by the **COUNCIL OF CHAMBERS OF YORK COUNTY**

**Tuesday, February 23, 2016 6:00-9:00 P.M.**

Members of the Senate, Reception, Seawell's, by the **SC ASSOCIATION OF CONSERVATION DISTRICTS**

**Wednesday, February 24, 2016 8:00-10:00 A.M.**

Members of the Senate, Breakfast, The Marriott, by the **ALPHA KAPPA ALPHA SORORITY, INC.**

**THURSDAY, JANUARY 28, 2016**

**Wednesday, February 24, 2016 8:00-10:00 A.M.**

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building,  
by the **ASSOCIATION OF COSMETOLOGY SALON PROFESSIONALS**

**Wednesday, February 24, 2016 12:00-2:00 P.M.**

Members of the Senate, Luncheon, Room 112, Blatt Building, by the  
**WIL LOU GRAY OPPORTUNITY SCHOOL**

**Wednesday, February 24, 2016 5:00-7:00 P.M.**

Members of the Senate, Reception, Capital City Club, by the **SC BIO**

**Wednesday, February 24, 2016 7:00-9:00 P.M.**

Members of the Senate, Reception, The Palmetto Club, by the  
**ASSOCIATION OF TECHNICAL COLLEGE COMMISSIONERS**

**Poll of the Invitations Committee**

**Polled 11; Ayes 10; Nays 0; Not Voting 1**

**AYES**

Cleary	Alexander	Reese
Campsen	Cromer	Malloy
Johnson	Kimpson	McElveen
Campbell		

**Total--10**

**NAYS**

**Total--0**

**NOT VOTING**

Verdin

**Total--1**

Ordered for consideration tomorrow.

**THURSDAY, JANUARY 28, 2016**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

**Statewide Appointments**

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2014, and to expire June 30, 2018

Barber:

Renee Patton, 5535 Highway 9, Inman, SC 29349

Received as information.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2013, and to expire June 30, 2017

General Public:

Frederick M. G. Evans, 214 Alderston Way, Columbia, SC 29229

Received as information.

**Message from the House**

Columbia, S.C., January 28, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Finaly, Tallon and Rutherford to the Committee of Free Conference on the part of the House on:

S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

Very respectfully,

Speaker of the House

Received as information.

[SJ]

THURSDAY, JANUARY 28, 2016

**HOUSE CONCURRENCES**

S. 990 -- Senators L. Martin, Malloy and Campsen: 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 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

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**THURSDAY, JANUARY 28, 2016**

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 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,

**THURSDAY, JANUARY 28, 2016**

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 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.

Returned with concurrence.

Received as information.

S. 1021 -- Senator Scott: A CONCURRENT RESOLUTION TO RECOGNIZE JAMES E. GRAY FOR EXTRAORDINARY DEDICATION TO HIS COMMUNITY AND TO THE BUILDING OF KILLIAN PARK IN RICHLAND COUNTY.

Returned with concurrence.

Received as information.

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

**READ THE SECOND TIME**

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

[SJ]

**THURSDAY, JANUARY 28, 2016**

DANGER OF SUFFERING HARM IF NOT REMOVED, AMONG OTHER THINGS, AND TO PROVIDE THAT THIS IMMUNITY DOES NOT AFFECT CERTAIN OTHER CIVIL LIABILITY.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

**Ayes 35; Nays 2**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Cleary	Coleman	Corbin
Cromer	Davis	Fair
Gregory	Grooms	Hayes
Hembree	Hutto	Johnson
Kimpson	Leatherman	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	<i>Matthews, Margie</i>
McElveen	Nicholson	Peeler
Reese	Scott	Setzler
Shealy	Thurmond	Turner
Williams	Young	

**Total--35**

**NAYS**

Malloy	Sabb
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**Total--2**

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

**AMENDED, READ THE SECOND TIME**

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

THURSDAY, JANUARY 28, 2016

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

The Senate proceeded to the consideration of the Bill.

Senator COLEMAN proposed the following amendment (3874R004.DR.CC):, which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 2-4 and inserting:

/ section, 'public funds' does not include federal grants or tax credits. /

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

/ (D) A taxpayer who claims any other state credit allowed with respect /

Amend the bill further, as and if amended, page 2, by striking line 37 and inserting:

/ 2015. The provisions of this act are repealed on December 31, 2017, /

Amend the bill further, as and if amended, page 3, by striking line 9 and inserting:

/ equipment for heating water, space heating, air /

Amend the bill further, as and if amended, page 3, by striking lines 38-39 and inserting:

/ equipment' means machinery and equipment for use at the taxpayer's residence that either: /

Amend the bill further, as and if amended, page 4, by striking line 8 and inserting:

/ geothermal machinery and equipment are repealed /

Renumber sections to conform.

Amend title to conform.

Senator COLEMAN explained the amendment.

Senator COLEMAN explained the Bill.

The question then was second reading of the Bill.

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

**Ayes 31; Nays 9**

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**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Cleary
Coleman	Cromer	Fair
Gregory	Hayes	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	<i>Martin, Larry</i>
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	Nicholson	Reese
Sabb	Scott	Setzler
Shealy	Sheheen	Turner
Williams		

**Total--31**

**NAYS**

Bright	Bryant	Corbin
Davis	Grooms	<i>Martin, Shane</i>
Peeler	Thurmond	Young

**Total--9**

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. 524 -- Senators Hembree and Fair: A BILL TO AMEND SECTION 16-15-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDECENT EXPOSURE, SO AS TO PROVIDE THAT A CORRECTIONS OR DETENTION FACILITY IS CONSIDERED A PUBLIC PLACE, AND TO PROVIDE THAT IF THE VIOLATION OCCURS WITHIN A CORRECTIONS OR DETENTION FACILITY, THE SENTENCE IS TO RUN CONSECUTIVELY.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0524.001), which was adopted:

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

/ SECTION 1. Article 5, Chapter 13, Title 24 of the 1976 Code is amended by adding:

“Section 24-13-480. (A) It is unlawful for a person to wilfully, maliciously, and indecently expose his person in a corrections or detention facility.

(B) This section does not apply to a woman who breastfeeds her own child in a corrections or detention facility.

(C) A person who violates this section is guilty of a misdemeanor, and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both. The sentence must be served consecutively to any other sentence the person is serving.”

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

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The question then was second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Gregory	Grooms
Hayes	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	Nicholson	Peeler
Reese	Sabb	Scott
Setzler	Shealy	Thurmond
Turner	Williams	Young

**Total--39**

**THURSDAY, JANUARY 28, 2016**

**NAYS**

**Total--0**

There being no further amendments, the Bill 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, REVEGITATION 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).

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

S. 989 -- Senators Hayes, J. Matthews and Setzler: A JOINT RESOLUTION TO REVISE APPLICABILITY OF CERTAIN STUDENT ASSESSMENT STATUTES FOR THE 2015-2016 SCHOOL YEAR.

On motion of Senator HAYES, the Resolution 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 HUTTO, the Resolution was carried over.

S. 267 -- Senators Young, Campsen, Hembree, Bennett, Turner, Thurmond, L. Martin, Davis, Bryant, S. Martin, Bright 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.

Senator LARRY MARTIN explained the Bill.

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

**ADOPTED**

S. 914 -- Senator L. Martin: A CONCURRENT RESOLUTION DESIGNATING JANUARY 30, 2016, AS "FRED KOREMATSU DAY" IN SOUTH CAROLINA AND TO RECOGNIZE THE LIFE AND WORK OF FRED KOREMATSU.

The Resolution was adopted and ordered sent to the House.

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**POINT OF ORDER**

S. 849 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 71, TITLE 38 SO AS TO PROVIDE PROCEDURES GOVERNING THE MAXIMUM ALLOWABLE COST REIMBURSEMENTS FOR GENERIC PRESCRIPTION DRUGS BY PHARMACY BENEFIT MANAGERS, TO PROVIDE NECESSARY DEFINITIONS, TO EXEMPT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES IN THE PERFORMANCE OF ITS DUTIES IN ADMINISTERING MEDICAID UNDER TITLES XIX AND XXI OF THE SOCIAL SECURITY ACT, TO PROVIDE REQUIREMENTS FOR PLACING DRUGS ON MAXIMUM ALLOWABLE COST LISTS BY PHARMACY BENEFIT MANAGERS, AND TO PROVIDE VARIOUS REQUIREMENTS OF PHARMACY BENEFIT MANAGERS; TO PROVIDE CONTRACTS BETWEEN PHARMACIES AND PHARMACY BENEFIT MANAGERS THAT ARE ENTERED INTO, RENEWED, OR EXTENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2016.

**Point of Order**

Senator SETZLER raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

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 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

[SJ]

**THURSDAY, JANUARY 28, 2016**

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.

**Point of Order**

Senator SETZLER raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**THURSDAY, JANUARY 28, 2016**

**POINT OF ORDER**

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.

**Point of Order**

Senator SETZLER raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

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, 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.

**Point of Order**

Senator SETZLER raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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**POINT OF ORDER**

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 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.

**Point of Order**

Senator SETZLER raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3682 -- Reps. Finlay, Bannister, Newton, Cole, Delleney, Weeks, Whipper, Robinson-Simpson and Bingham: A BILL TO

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AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 39 SO AS TO ENACT THE “BAD FAITH ASSERTION OF PATENT INFRINGEMENT ACT”, TO PROVIDE THAT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENTS ARE PROHIBITED, TO DEFINE TERMS, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION IN STATE COURTS BY A RECIPIENT OF A BAD FAITH ASSERTION TO PATENT INFRINGEMENT, TO PROVIDE THAT ENFORCEMENT ACTIONS MAY BE BROUGHT BY THE ATTORNEY GENERAL AND WILFUL AND KNOWING VIOLATIONS MAY RESULT IN CIVIL PENALTIES OF NOT MORE THAN FIFTY THOUSAND DOLLARS FOR EACH VIOLATION, TO PROVIDE FOR THE FACTORS THAT A COURT MAY CONSIDER WHEN MAKING A BAD FAITH DETERMINATION, AND TO PROVIDE EXCEPTIONS.

**Point of Order**

Senator SETZLER raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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

**MOTION ADOPTED**

At 12:16 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.**

**S. 255--FREE CONFERENCE POWERS GRANTED  
FREE CONFERENCE COMMITTEE APPOINTED  
REPORT OF THE COMMITTEE OF FREE CONFERENCE  
ADOPTED**

**THURSDAY, JANUARY 28, 2016**

S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

On motion of Senator THURMOND, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator THURMOND spoke on the report.

The question then was granting of Free Conference Powers.

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

**Ayes 38; Nays 0**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Gregory	Grooms
Hayes	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	Peeler	Reese
Sabb	Scott	Setzler
Shealy	Thurmond	Turner
Williams	Young	

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**Total--38**

**NAYS**

**Total--0**

Free Conference Powers were granted.

**Free Conference Committee Appointed**

Whereupon, Senators ALLEN, HEMBREE, and THURMOND were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

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

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

**Ayes 38; Nays 0**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Gregory	Grooms
Hayes	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	Peeler	Reese
Sabb	Scott	Setzler
Shealy	Thurmond	Turner
Williams	Young	

**Total--38**

**NAYS**

**Total--0**

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On motion of Senator THURMOND, the Report of the Committee of Free Conference to S.255 was adopted as follows:

**S. 255--Free Conference Report**

The General Assembly, Columbia, S.C., January 21, 2016

The COMMITTEE OF CONFERENCE, to whom was referred:  
S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 17-1-40 of the 1976 Code, as last amended by Act 276 of 2014, is further amended to read:

“Section 17-1-40. (A) For purposes of this section, ‘under seal’ means not subject to disclosure other than to a law enforcement or prosecution agency, and attorneys representing a law enforcement or prosecution agency, unless disclosure is allowed by court order.

(B)(1) If a person's record is expunged pursuant to Article 9, Title 17, Chapter 22, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge was discharged, proceedings against the person were dismissed, or the person was found not guilty of the charge, then the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge or associated bench warrants may

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be retained by any municipal, county, or state agency. Provided, however, that:

(a) Law enforcement and prosecution agencies shall retain the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations and prosecution of the offense, administrative hearings, and to defend the agency and the agency's employees during litigation proceedings. The information must remain under seal. The information is not a public document and is exempt from disclosure, except by court order.

(b) Detention and correctional facilities shall retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years and one hundred twenty days from the date of the expungement order to manage the facilities' statistical and professional information needs, and to defend the facilities and the facilities' employees during litigation proceedings, except that when an action, complaint, or inquiry has been initiated, the records, documentation and materials, and other reports and files may be retained as needed to address the action, complaint, or inquiry. The information is not a public document and is exempt from disclosure, except by court order. At the end of the three years and one hundred twenty days from the date of the expungement order, the records must be destroyed unless they are being retained to address an action, complaint, or inquiry that has been initiated.

(2) A municipal, county, or state agency, or an employee of a municipal, county, or state agency that intentionally violates this subsection is guilty of contempt of court.

(3) Nothing in this subsection requires the South Carolina Department of Probation, Parole and Pardon Services to expunge the probation records of persons whose charges were dismissed by conditional discharge pursuant to Section 44-53-450.

(4) If a person pleads guilty to a lesser-included offense and the solicitor deems it appropriate, the solicitor shall notify the State Law Enforcement Division (SLED) and SLED shall request that the person's record contained in the National Crime Information Center (NCIC) database or other similar database reflects the lesser-included offense rather than the offense originally charged.

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(C)(1) If a person's record is expunged pursuant to Article 9, Title 17, Chapter 22, because the person was charged with a criminal offense, or was issued a courtesy summons pursuant to Section 22-3-330 or another provision of law, and the charge was discharged, proceedings against the person were dismissed, or the person was found not guilty of the charge, then law enforcement and prosecution agencies shall retain the ~~evidence gathered~~, unredacted incident and supplemental reports, and investigative files under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations, other law enforcement or prosecution purposes, administrative hearings, and to defend the agency and the agency's employees during litigation proceedings. The information must remain under seal. The information is not a public document, is exempt from disclosure, except by court order, and is not subject to an order for destruction of arrest records.

(2) If a request is made to inspect or obtain the incident reports pursuant to the South Carolina Freedom of Information Act, the law enforcement agency shall redact the name of the person whose record is expunged and other information which specifically identifies the person from copies of the reports provided to the person or entity making the request.

(3) If a person other than the person whose record is expunged is charged with the offense, a prosecution agency may provide the attorney representing the other person with unredacted incident and supplemental reports. The attorney shall not provide copies of the reports to a person or entity nor share the contents of the reports with a person or entity, except during judicial proceedings or as allowed by court order.

(4) A person who intentionally violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

(5) Nothing in this subsection prohibits evidence gathered or information contained in incident reports or investigation and prosecution files from being used for the investigation and prosecution of a criminal case or for the defense of a law enforcement or prosecution agency or agency employee.

(D) A municipal, county, or state agency may not collect a fee for the destruction of records pursuant to this section.

~~(E)(1) This section does not apply to a person who is charged with a violation of Title 50, Title 56, or an enactment pursuant to the authority of counties and municipalities provided in Titles 4 and 5.~~

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~~(2) If a charge enumerated in item (1) is discharged, proceedings against the person are dismissed, the person is found not guilty of the charge, or the person's record is expunged pursuant to Article 9, Title 17, Chapter 22, the charge must be removed from any Internet based public record no later than thirty days from the disposition date.~~

~~(F)~~(E) The State Law Enforcement Division is authorized to promulgate regulations that allow for the electronic transmission of information pursuant to this section.

~~(G)~~(F) Unless there is an act of gross negligence or intentional misconduct, nothing in this section gives rise to a claim for damages against the State, a state employee, a political subdivision of the State, an employee of a political subdivision of the State, a public officer, or other persons.”

SECTION 2. Chapter 1, Title 17 of the 1976 Code is amended by adding:

“Section 17-1-60. (A) For purposes of this section, a person or entity who publishes on the person or entity's website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina is deemed to be transacting business in South Carolina.

(B) It is unlawful for a person or entity to obtain, or attempt to obtain, the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina knowing:

(1) the arrest and booking records will be published on a website or any other publication; and

(2) removal or revision of the arrest or booking records requires the payment of a fee or other consideration.

(C) It is unlawful for a person or entity to require the payment of a fee or other consideration to remove, revise, or refrain from posting to a website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina.

(D)(1) A person or entity who publishes on the person or entity's website or any other publication the arrest and booking records, including booking photographs, of a person who is arrested and booked in South Carolina shall remove the arrest and booking records from the person or entity's website or any other publication without requiring the payment of a fee or other consideration within thirty days of the receipt of a request to remove the arrest and booking records, if the request:

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(a) is made in writing via certified mail, return receipt requested, to the registered agent, principal place of business, or primary residence of the person or entity who publishes the website or any other publication;

(b) includes the person's name, date of arrest, and the name of the arresting law enforcement agency;

(c) contains certified documentation that the original charges stemming from the arrest were discharged, dismissed, expunged, or the person was found not guilty; and

(d) includes a complete and accurate description of where the arrest and booking records are located, including, but not limited to, the uniform resource locator (URL) and e-edition, if applicable.

(2) If the original charges stemming from the arrest were discharged or dismissed as a result of the person pleading to a lesser included offense, or a different offense, the person or entity who publishes the website or any other publication is not required to remove the arrest and booking records from the person or entity's website or any other publication; however, the person or entity shall revise the arrest and booking records published on the person or entity's website or any other publication to reflect the lesser included offense, or different offense, instead of the original charges, without requiring the payment of a fee or other consideration within thirty days of the receipt of a request to remove the arrest and booking records pursuant to item (1).

(3) This subsection does not apply to the following:

(a) motion picture producers and distributors, and their products as released in theaters, to DVD, pay-per-view, broadcast, cable and satellite television, as well as Internet services;

(b) acts done by the publisher, owner, agent, employee, or retailer of a newspaper, periodical, books, radio station, radio network, television station, television broadcast network, or cable television network in the publication or dissemination in print or electronically of:

(i) news, history, entertainment, or commentary; or

(ii) an advertisement of or for another person, when the publisher, owner, agent, or employee did not have actual knowledge of the false, misleading, or deceptive character of the advertisement, did not prepare the advertisement, or did not have a direct financial interest in the sale or distribution of the advertised product or service.

(4) A person or entity who violates this subsection is not subject to the criminal penalty provided in subsection (F); however, the person

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or entity is subject to a civil cause of action as provided in subsection (G).

(E)(1) This section does not apply to a state or local government agency.

(2) Except as otherwise provided by state law, it is unlawful for an employee of a state or local government agency to provide the arrest or booking records, including booking photographs, of a person who is arrested and booked in South Carolina knowing:

(a) the arrest and booking records will be published on a nongovernmental website or any other publication; and

(b) removal or revision of the arrest or booking records requires the payment of a fee or other consideration.

(F)(1) A person or entity who violates this section, except for subsection (D), is guilty of a misdemeanor, and, upon conviction, must be fined not more than one thousand dollars or be imprisoned not more than sixty days, or both.

(2) Each arrest and booking record obtained, attempted to obtain, or provided, and each payment solicited or accepted in violation of this section constitutes a separate violation.

(G)(1) Except as provided in item (2), a person who suffers a loss or harm as a result of a violation of this section may file a civil cause of action against a person or entity who violates this section for damages suffered, along with costs, attorney's fees, and any other legal or equitable relief.

(2) A person who suffers a loss or harm as a result of a violation of this section may not file a civil cause of action against a state or local government agency pursuant to this section; however, the person may file a civil cause of action against an employee of a state or local government agency who violates subsection (E)(2) pursuant to the South Carolina Tort Claims Act. A state or local government agency may not be substituted for an employee of the state or local government agency in a civil cause of action against the employee."

SECTION 3. Section 17-22-950 of the 1976 Code, as last amended by Act 276 of 2014, is further amended to read:

"Section 17-22-950. (A)(1) ~~When~~ If criminal charges are brought in a summary court, ~~and~~ the accused person is found not guilty or ~~if~~ the charges are dismissed or nolle prossed, ~~pursuant to Section 17-1-40, the presiding judge of~~ and the accused person was fingerprinted for the charges, the summary court, at no cost to the accused person, immediately shall issue an order to expunge the criminal records,

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including any associated bench warrants, of the accused person unless the dismissal of the charges occurs at a preliminary hearing or ~~unless~~ the accused person has charges pending in summary court and a court of general sessions and ~~such~~ the charges arise out of the same course of events. ~~This expungement must occur no sooner than the appeal expiration date and no later than thirty days after the appeal expiration date. Except as provided in item (2), upon~~ Upon issuance of the order, the judge of the summary court or a member of the summary court staff ~~must coordinate with SLED to confirm that the criminal charge is statutorily appropriate for expungement;~~ shall obtain and verify the presence of all necessary signatures; ~~file the completed expungement order with the clerk of court;~~ and provide copies of the completed expungement order to all governmental agencies which must receive the order, including, but not limited to, the arresting law enforcement agency; the detention facility or jail; the solicitor's office; the clerk of court, but only in cases in which the charges were appealed to the circuit court or remanded to the summary court from general sessions court; the magistrates or municipal summary court where the arrest or bench warrant warrants originated; the magistrates or municipal summary court that was involved in any way in the criminal process of the charge charges or bench warrant warrants sought to be expunged; and SLED. ~~The judge of the summary court or a member of the summary court staff also must provide a copy of the completed expungement order to the applicant or his retained counsel. The prosecuting agency or appropriate law enforcement agency may file an objection to a summary court expungement. If an objection is filed by the prosecuting agency or law enforcement agency, that expungement then must be heard by the judge of a general sessions court. The prosecuting agency's or the appropriate law enforcement agency's reason for objecting must be that the:~~

- ~~(a) accused person has other charges pending;~~
- ~~(b) prosecuting agency or the appropriate law enforcement agency believes that the evidence in the case needs to be preserved; or~~
- ~~(c) accused person's charges were dismissed as a part of a plea agreement.~~

~~(2)(B) If criminal charges are brought in a summary court, and the accused person is found not guilty; or the charges are dismissed or nolle prossed, pursuant to Section 17-1-40, and the person was not fingerprinted for the violation charges, then, upon issuance of the order, the summary court shall coordinate with the arresting law enforcement agency to confirm that the person was not fingerprinted for the violation;~~

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the accused person may apply to the summary court, at no cost to the accused person, for an order to expunge the criminal records, including any associated bench warrants, of the accused person unless the dismissal of the charges occurs at a preliminary hearing or the accused person has charges pending in summary court and a court of general sessions and the charges arise out of the same course of events. Upon application, and after verification that the charges are appropriate for expungement, the summary court shall issue an order to expunge the criminal records, obtain and verify all necessary signatures, and provide copies of the completed expungement order to the arresting law enforcement agency and all summary courts that were involved in the criminal process of the charges. The summary court is not required to provide copies of the completed expungement order to SLED. All summary courts that were involved in the criminal process of the charges shall destroy all documentation related to the charges, including, but not limited to, removing the charges from Internet-based public records. All other provisions of subsection (A)(1) apply.

(C) An expungement pursuant to this section must occur no sooner than the appeal expiration date and no later than thirty days after the appeal expiration date.

(D) A summary court shall provide a copy of a completed expungement order issued pursuant to this section to the applicant or the applicant's counsel of record. The copy must be certified or marked with the court's raised seal.

(E) Criminal charges must be removed pursuant to this section from all Internet-based public records no later than thirty days from the disposition date, regardless of whether the accused person applies to the summary court for expungement pursuant to subsection (B). All other criminal records must be destroyed or retained pursuant to the provisions of Section 17-1-40.

~~(B)~~(F) A prosecution or law enforcement agency may file an objection to a summary court expungement. If an objection is filed, the expungement must be heard by the judge of a general sessions court. The prosecution or law enforcement agency's reason for objecting must be that the accused person has other charges pending or the charges are not eligible for expungement. If the prosecuting agency or the appropriate law enforcement agency objects to an expungement order being issued pursuant to subsection (A)(1)(b), the The prosecuting agency prosecution or appropriate law enforcement agency must shall notify the accused person of the objection. ~~This~~ The notice must be given in

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writing at the most current address ~~listed on the accused person's bond form on file with the summary court,~~ or through his the accused person's attorney, no later than thirty days after the accused person is found not guilty or ~~his the accused person's~~ charges are dismissed or nolle prossed.

(G) The Office of Court Administration shall provide uniform application forms to be used for expungements pursuant to this section.”

SECTION 4. Section 22-5-910(A) of the 1976 Code, as last amended by Act 58 of 2015, is further amended to read:

“(A) Following a first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this section does not apply to:

(1) an offense involving the operation of a motor vehicle; ~~or~~

(2) ~~a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized.~~”

SECTION 5. Section 22-5-920(B) of the 1976 Code, as last amended by Act 273 of 2010, is further amended to read:

“(B)(1) Following a first offense conviction as a youthful offender for which a defendant is sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the defendant, after five years from the date of completion of ~~his the defendant's~~ sentence, including probation and parole, may apply, or cause someone acting on ~~his the defendant's~~ behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction.

(2) However, this section does not apply to:

(a) an offense involving the operation of a motor vehicle; ~~;~~

(b) ~~to a violation of Title 50 or the regulations promulgated under it for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses authorized,~~ to an offense classified as a violent crime in Section 16-1-60; ~~;~~ or

(c) ~~to~~ an offense contained in Chapter 25, Title 16, except as otherwise provided in Section 16-25-30.

(3) If the defendant has had no other conviction during the five-year period following completion of ~~his the defendant's~~ sentence, including probation and parole, for a first offense conviction as a

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youthful offender for which the defendant was sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the circuit court may issue an order expunging the records. No person may have ~~his~~ the person's records expunged under this section more than once. A person may have ~~his~~ the person's record expunged even though the conviction occurred before the effective date of this section. A person eligible for a sentence pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, and who is not sentenced pursuant to those provisions, is not eligible to have ~~his~~ the person's record expunged pursuant to the provisions of this section.”

SECTION 6. This act takes effect ninety days after approval by the Governor. This act applies retroactively to allow for the expungement of offenses charged, discharged, dismissed, or nolle prossed prior to the effective date of this act, and persons convicted or found not guilty prior to the effective date of this act. /

Amend title to conform.

/s/Sen. Karl B. Allen  
/s/Sen. Greg Hembree  
/s/Sen. Paul Thurmond  
On Part of the Senate.

/s/Rep. Kirkman Finlay III  
Rep. J. Todd Rutherford  
/s/Rep. Edward R. Tallon, Sr.  
On Part of the House.

, and a message was sent to the House accordingly.

#### **EXECUTIVE SESSION**

On motion of Senator LEATHERMAN, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

Having received a favorable report from the Transportation Committee, the following appointment was taken up for immediate consideration:

#### **Statewide Appointment**

Initial Appointment, Secretary of Department of Transportation, with term coterminous with Governor

Christy Ann Hall, 171 Dutch Dr., Leesville, SC 29070 *VICE* Janet Oakley

[SJ]

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On motion of Senator GROOMS, the question was confirmation of Christy Hall.

The "ayes" and "nays" were demanded and taken, resulting as follows:  
**Ayes 37; Nays 0; Abstain 1**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Gregory	Grooms
Hayes	Hembree	Johnson
Kimpson	Leatherman	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Reese	Sabb
Scott	Setzler	Shealy
Thurmond	Turner	Williams
Young		

**Total--37**

**NAYS**

**Total--0**

**ABSTAIN**

Malloy

**Total--1**

The appointment of Christy Hall was confirmed.

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was taken up for immediate consideration:

**Statewide Appointment**

[SJ]

**THURSDAY, JANUARY 28, 2016**

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

On motion of Senator SHEALY, the question was confirmation of Ginger Macaulay.

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

**Ayes 38; Nays 0**

**AYES**

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Gregory	Grooms
Hayes	Hembree	Johnson
Kimpson	Leatherman	Malloy
<i>Martin, Larry</i>	<i>Martin, Shane</i>	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
Nicholson	Peeler	Reese
Sabb	Scott	Setzler
Shealy	Thurmond	Turner
Williams	Young	

**Total--38**

**NAYS**

**Total--0**

The appointment of Ginger Macaulay was confirmed.

**THURSDAY, JANUARY 28, 2016**

**MOTION ADOPTED**

On motion of Senator HEBREE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Frank V. "Buddy" Boulineau IV of North Myrtle Beach, S.C. Frank worked in the food service division of Boulineau's IGA Grocery Store and was a member of First Baptist Church of North Myrtle Beach. He was a loving husband and devoted father who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator SHANE MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Sgt. Jeffrey Sempler of Horseheads, NY. Jeffrey graduated from Woodruff High School and was a Marine stationed at the Marine Corps Base in Hawaii. Jeffrey was a loving son and a devoted Marine who will be dearly missed.

**ADJOURNMENT**

At 12:36 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.

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