

NO. 71

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2016

THURSDAY, MAY 12, 2016

Thursday, May 12, 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:

“These are the things you are to do,” says the Lord God to Zechariah.

“Speak the truth to each other, and render true and sound judgment in your courts. . .” (Zechariah 8:16)

Let us pray:

O loving and gracious God, we have a concern about the tendency in this world of ours for truth to be cheapened, for some leaders to choose the “easy way,” for integrity to be thought of as outdated. We know that those perspectives are not the ones you want elected officials in our State to embrace. Strengthen the will of everyone serving in this Body, Lord, so that they fully count themselves as individuals who pointedly follow the high road. May each Senator serving the people of South Carolina choose to honor truth and to serve nobly. In Your loving name we pray, dear Lord. Amen.

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

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large:

Kenneth W. Kirkland, 407 Carriage Hill Rd., Greenville, SC 29681
VICE Clark B. Parker

Referred to the Committee on Education.

THURSDAY, MAY 12, 2016

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2016, and to expire July 1, 2020

4th Congressional District:

Norman F. Pulliam, Sr., 1145 Thornwood Dr., Spartanburg, SC 29302

Referred to the Committee on Fish, Game and Forestry.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2016, and to expire June 30, 2020

2nd Congressional District:

Edwin M. Estridge, 418 Caro Lane, Chapin, SC 29036

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2013, and to expire June 30, 2017

2nd Congressional District:

Walker D. Spruill, 34 Old Still Rd., Columbia, SC 29223 *VICE* Frank Clark

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, Director of Department of Health and Environmental Control, with the term to commence March 6, 2016, and to expire March 6, 2020

Catherine E. Heigel, 300 Waccamaw Ave., Greenville, SC 29605

Referred to the Committee on Medical Affairs.

Reappointment, Board of South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2013, and to expire June 30, 2017

At-Large:

Allen B. Amsler, 118 Harbra Court, Lexington, SC 29072

Referred to the Committee on Medical Affairs.

THURSDAY, MAY 12, 2016

Reappointment, Board of South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2013, and to expire June 30, 2017

2nd Congressional District:

Robert Kenyon Wells, Post Office Box 429, Lexington, SC 29071

Referred to the Committee on Medical Affairs.

Reappointment, Board of South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2013, and to expire June 30, 2017

4th Congressional District:

Lemia Clarence Batts, Jr., 105 Rockport Way, Pacolet, SC 29372

Referred to the Committee on Medical Affairs.

Initial Appointment, Board of South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2013, and to expire June 30, 2017

5th Congressional District:

Ann B. Kirol, 310 Juniper View Rd., Rock Hill, SC 29730

Referred to the Committee on Medical Affairs.

Reappointment, Board of South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2015, and to expire June 30, 2019

3rd Congressional District:

Charles M. Joye II, 1006 North Shore Drive, Anderson, SC 29625

Referred to the Committee on Medical Affairs.

Initial Appointment, Board of South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2015, and to expire June 30, 2019

6th Congressional District:

David W. Gillespie, 3328 Timberline Rd., Orangeburg, SC 29118

Referred to the Committee on Medical Affairs.

[SJ]

THURSDAY, MAY 12, 2016

Doctor of the Day

Senator MASSEY introduced Dr. Anthony Harris of Aiken, S.C., Doctor of the Day.

Leave of Absence

At 11:14 A.M., Senator SHANE MARTIN requested a leave of absence from 2:07 P.M. today until 11:07 A.M. on Tuesday, May 17, 2016.

Leave of Absence

On motion of Senator MALLOY, at 12:12 P.M., Senator THURMOND was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bill:
S. 936 Sens. Alexander and Malloy

RECALLED

H. 5011 -- Reps. Clemmons, Fry, Johnson, Duckworth, Hardee, Anderson, Goldfinch, George, Hayes, H.A. Crawford and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-10-980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

Senator LEATHERMAN asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4851 -- Reps. G.M. Smith and Weeks: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS LOCATED ALONG LAFAYETTE DRIVE IN THE CITY OF SUMTER "SCHP PATROLMAN JIMMY A. TRAYLOR MEMORIAL BRIDGE" AND

THURSDAY, MAY 12, 2016

ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

Senator McELVEEN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

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

Motion to Ratify Adopted

At 12:15 P.M., Senator LEATHERMAN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time on Tuesday, May 17, 2016.

There was no objection and a message was sent to the House accordingly.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1301 -- Senator Bennett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE PINWOOD PREPARATORY SCHOOL SPORTING CLAYS TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2016 SOUTH CAROLINA STATE CHAMPIONSHIP TITLE.

I:\council\ills\gm\24779ahb16.docx

The Senate Resolution was adopted.

S. 1302 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DEBORAH STROMAN FOR HER ILLUSTRIOUS, TWENTY-FOUR YEAR CAREER AS THE GIRLS BASKETBALL COACH AT LOWER RICHLAND HIGH SCHOOL AND TO CONGRATULATE HER FOR BEING NAMED THE SCHOOL'S ATHLETIC DIRECTOR.

I:\council\ills\gm\24778vr16.docx

The Senate Resolution was adopted.

THURSDAY, MAY 12, 2016

REPORTS OF STANDING COMMITTEE

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

S. 1204 -- Senator Sheheen: A BILL TO AMEND SECTION 59-29-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, SO AS TO PROVIDE MARCHING BAND INSTRUCTION BASED ON THE SOUTH CAROLINA ACADEMIC STANDARDS FOR THE VISUAL AND PERFORMING ARTS MUST BE CONSIDERED THE EQUIVALENT OF PHYSICAL EDUCATION INSTRUCTION.

Ordered for consideration tomorrow.

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

H. 3151 -- Rep. G.R. Smith: A BILL TO AMEND SECTION 59-29-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUISITE STUDY OF THE UNITED STATES CONSTITUTION AND OTHER TEXTS REFLECTING THE HISTORY OF THE UNITED STATES IN PUBLIC HIGH SCHOOLS AND PUBLICLY-SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT PUBLIC COLLEGES AND UNIVERSITIES MAY SATISFY THE INSTRUCTIONAL COMPONENT OF THIS REQUIREMENT BY PROVIDING AND ASSIGNING CERTAIN RELATED READING; TO AMEND SECTION 59-29-130, RELATING TO THE REQUIREMENT THAT THESE SUBJECTS BE GIVEN FOR AT LEAST ONE YEAR, SO AS TO REVISE THE REQUIREMENT FOR COLLEGES AND UNIVERSITIES; AND TO AMEND SECTION 59-29-140, RELATING TO THE ROLE OF THE STATE SUPERINTENDENT OF EDUCATION TO ENFORCE THESE STUDY REQUIREMENTS AND PRESCRIBE SUITABLE TEXTS, SO AS TO TRANSFER THESE FUNCTIONS, WITH RESPECT TO COLLEGES AND UNIVERSITIES, TO THE COMMISSION OF HIGHER EDUCATION.

Ordered for consideration tomorrow.

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

[SJ]

THURSDAY, MAY 12, 2016

H. 4774 -- Reps. Govan, Parks, King, Erickson, Cobb-Hunter, Clyburn, J.E. Smith, H.A. Crawford, Yow, M.S. McLeod, Ott, Henegan, Kirby, R.L. Brown, Gilliard, Loftis, Burns, Hosey, Williams, Howard, Neal, Douglas, Mack, Tinkler, Newton, Bamberg, Jefferson, Putnam, Hamilton, G.A. Brown, Clemmons, Dillard, Duckworth, Hicks, Hodges, W.J. McLeod, G.R. Smith, Nanney, Bales, Lowe, Norrell, Bowers, Sandifer, McEachern, Weeks, Gambrell, Rivers, Bernstein, McCoy, Anderson and Whipper: 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.

Ordered for consideration tomorrow.

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

H. 5024 -- Reps. Clary, Thayer, Collins, Funderburk, King, Felder, McCoy, Stavrinakis, Bannister, Hamilton, Henderson, Anthony and Govan: A JOINT RESOLUTION TO REQUIRE THAT BEFORE THE 2016-2017 SCHOOL YEAR, THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE ALL READING/LITERACY COACHES AND LITERACY TEACHERS WITH TRAINING ON DYSLEXIA, INCLUDING EVIDENCE-BASED DYSLEXIA SCREENING, INSTRUCTIONAL METHODS, AND INTERVENTIONS; AND TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DEPARTMENT.

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2015, and to expire May 31, 2018

Licensed or Certified Appraiser:

Travis L. Avant, 255 Longleaf Drive, Walterboro, SC 29488 *VICE*
Michael B. Dodds

[SJ]

THURSDAY, MAY 12, 2016

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence March 30, 2015, and to expire March 30, 2017

Hospital Employee:

Lynette Y. Leland-Reed, 2704 Brinkley Lane, Columbia, SC 29210
VICE Karen G. Schwartz

Received as information.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2015, and to expire March 20, 2019

Esthetician:

Marcia R. Delaney, 220 North Hook Avenue, West Columbia, SC 29169
VICE Janice Curtis

Received as information.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2016, and to expire June 30, 2020

4th Congressional District:

Paul H. Kennemore, 367 Meathward Circle, Moore, SC 29369

Received as information.

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, 2015, and to expire April 6, 2021

1st Congressional District:

Janet I. McKim, 1651 Folly Creek Way, Charleston, SC 29412
VICE Bryan K. Cribb

Received as information.

[SJ]

THURSDAY, MAY 12, 2016

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

ORDERED ENROLLED FOR RATIFICATION

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

H. 5066 -- Reps. Herbkersman, Erickson, Bowers, Bradley, Newton and Hodges: A BILL TO AMEND ACT 589 OF 1986, AS AMENDED, RELATING TO THE BEAUFORT COUNTY BOARD OF EDUCATION, SO AS TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SUBMIT SIGNED PETITIONS.

H. 3343 -- Reps. Huggins, Toole, Long, McCoy, Knight, R.L. Brown, Pope, Collins, Bingham, Stavrinakis, Yow and Erickson: A BILL TO AMEND SECTION 47-3-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF EUTHANASIA THAT MAY BE USED TO KILL ANIMALS IMPOUNDED OR QUARANTINED IN ANIMAL SHELTERS, SO AS TO PROVIDE THAT THE USE OF BARBITURIC ACID DERIVATIVES, AND CARBON MONOXIDE GAS ARE NOT ALLOWABLE METHODS OF EUTHANASIA AND TO PROVIDE THAT THE USE OF SODIUM PENTOBARBITAL AND OTHER SUBSTANCES OR PROCEDURES THAT ARE HUMANE MAY BE USED TO PERFORM EUTHANASIA.

H. 4940 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-3-110 SO AS TO PROVIDE FOR THE DUTIES, FUNCTIONS, AND RESPONSIBILITIES OF THE OFFICE OF TRANSFORMATION WITHIN THE SOUTH CAROLINA DEPARTMENT OF EDUCATION.

H. 4743 -- Reps. Bedingfield, Dillard, Robinson-Simpson and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-935 SO AS TO PROVIDE THAT THE LAND OWNED AND MANAGED BY THE CONESTEE FOUNDATION AND KNOWN AS LAKE CONESTEE

[SJ]

THURSDAY, MAY 12, 2016

NATURE PARK IS DECLARED TO BE A WILDLIFE SANCTUARY.

H. 4786 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE GOVERNOR, RELATING TO LOCAL EMERGENCY PREPAREDNESS STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4563, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 5009 -- Reps. Cole, Tallon, Hicks, Brannon, Allison, Chumley, Clary, Forrester, Mitchell, King and W.J. McLeod: A BILL TO AMEND SECTION 12-65-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEXTILES COMMUNITIES REVITALIZATION INCOME TAX CREDIT, SO AS TO DELETE A PROVISION THAT LIMITS THE CREDIT TO FIFTY PERCENT OF CERTAIN LIABILITY.

H. 5218 -- Reps. Gilliard, Anderson, Limehouse, Mack, Hosey, Whipper and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-117 SO AS TO PROVIDE THAT THE MONTH OF MAY EVERY YEAR IS DECLARED "WATER SAFETY AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA; TO PROMOTE AN UNDERSTANDING OF WATER SAFETY PRACTICES AND THE CRITICAL IMPORTANCE OF WATER SAFETY IN AN EFFORT TO REDUCE DROWNING DEATHS AMONG CHILDREN IN THIS STATE; TO CREATE THE "WATER SAFETY AWARENESS IN SCHOOLS STUDY COMMITTEE"; TO EXAMINE THE ISSUE OF DROWNING DEATHS AMONG SCHOOL-AGED CHILDREN IN SOUTH CAROLINA; AND TO IDENTIFY A CURRICULUM TO PROVIDE SWIMMING INSTRUCTION IN OUR PUBLIC SCHOOLS AS A MEASURE TO HELP PREVENT CHILD DROWNING DEATHS.

H. 4705 -- Rep. Long: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REDESIGNATE THE MAP

[SJ]

THURSDAY, MAY 12, 2016

NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments.

H. 3193 -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G.A. Brown, R.L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G.M. Smith, G.R. Smith, McCoy, Clary, J.E. Smith, Hicks and Weeks: A BILL TO AMEND SECTION 8-13-1320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ATTRIBUTION OF CAMPAIGN CONTRIBUTIONS TO SPECIFIC TYPES OF ELECTIONS, SO AS TO REVISE THE MANNER IN WHICH CAMPAIGN CONTRIBUTIONS ARE ATTRIBUTED TO A PRIMARY ELECTION AND TO A PRIMARY ELECTION RUNOFF.

H. 3685 -- Reps. D.C. Moss and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-219 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE IS IMPOSED UPON ALL MONETARY PENALTIES IMPOSED BY CERTAIN COURTS FOR OFFENSES IN WHICH AN ELECTRONIC TICKET OR CITATION WAS ISSUED, AND TO PROVIDE FOR THE DISTRIBUTION OF THE SURCHARGE.

H. 3848 -- Reps. Huggins, J.E. Smith, McKnight, Jefferson, Hosey, Atwater, Toole, Burns, Herbkersman, Ridgeway, Simrill, Kennedy, Ballentine and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA FOUNDING PRINCIPLES ACT" BY ADDING SECTION 59-29-155 SO AS TO REQUIRE THE COMPLETION OF A SEPARATE, FULL SEMESTER COURSE CONSISTING ONLY OF INSTRUCTION IN CERTAIN FOUNDING PRINCIPLES OF THE UNITED STATES OF AMERICA, TO REQUIRE A PASSING GRADE IN THE COURSE AND ON THE NATURALIZATION TEST FOR UNITED STATES CITIZENSHIP AS A CONDITION FOR GRADUATION FROM HIGH SCHOOL, AND TO PROVIDE

THURSDAY, MAY 12, 2016

RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND THE LOCAL SCHOOL DISTRICTS.

H. 4936 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-50 SO AS TO PROVIDE FOR EDUCATIONAL GOALS FOR ALL SOUTH CAROLINA HIGH SCHOOL GRADUATES AND THE STANDARDS AND AREAS OF LEARNING BY WHICH THESE GOALS ARE MEASURED.

H. 3927 -- Reps. Willis and Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL PERSONALIZED MOTOR VEHICLE LICENSE PLATES; AND TO AMEND SECTION 56-3-2250, RELATING TO THE ISSUANCE OF SAMPLE LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT IT IS UNLAWFUL TO DISPLAY A SAMPLE LICENSE PLATE ON A MOTOR VEHICLE AND THE PENALTY ASSOCIATED WITH THIS CRIME, TO PROVIDE THAT THE DEPARTMENT MAY RETAIN THE FEE THAT IS CHARGED FOR THE ISSUANCE OF THIS LICENSE PLATE, TO PROVIDE THAT THIS DEPARTMENT MAY ISSUE SOUVENIR LICENSE PLATES FOR ANY SPECIAL ORGANIZATIONAL LICENSE PLATE THAT IT PRODUCES, AND PERSONALIZED SPECIAL ORGANIZATIONAL SOUVENIR LICENSE PLATES FOR A FEE, TO PROVIDE FOR THE DISBURSEMENT OF THE FEES, TO PROVIDE THAT THESE LICENSE PLATES MAY BE DISPLAYED ONLY ON THE FRONT OF A MOTOR VEHICLE, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

**READ THE THIRD TIME
SENT TO THE HOUSE**

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

S. 923 -- Senator Bryant: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO POLICE DOGS AND HORSES, TO PROVIDE THAT A PERSON WHO TORTURES, MUTILATES,

[SJ]

THURSDAY, MAY 12, 2016

INJURES, DISABLES, POISONS, OR KILLS A POLICE DOG OR HORSE MAY BE FINED UP TO THIRTY THOUSAND DOLLARS, MAY BE IMPRISONED FOR UP TO TEN YEARS, MUST PAY RESTITUTION TO COVER THE COST OF RESTORING OR REPLACING THE DOG OR HORSE INJURED OR KILLED, AND MUST PARTICIPATE IN ANIMAL-RELATED COMMUNITY SERVICE FOR ONE YEAR IN ADDITION TO OTHER PENALTIES.

S. 1243 -- Senator Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 138 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "CHASE AWAY CHILDHOOD CANCER" SPECIAL LICENSE PLATES.

S. 1212 -- Senator Bright: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO ADD THE RIVER RIDGE PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

SECOND READING BILLS

The following Bills, having been read the second time, were ordered placed on the Third Reading Calendar:

S. 1296 -- Senator Sheheen: A BILL TO PROVIDE THE KERSHAW COUNTY TRANSPORTATION COMMITTEE SHALL BE COMPRISED OF SEVEN MEMBERS; AND TO PROVIDE MEMBERS SHALL SERVE TERMS OF FOUR YEARS, EXCEPT THAT ON THE EFFECTIVE DATE OF THIS ACT MEMBERS SHALL SERVE INITIAL TERMS THAT ARE STAGGERED IN TWO, THREE, AND FOUR-YEAR INTERVALS.

S. 1297 -- Senator Sheheen: A BILL TO AMEND ACT 185 OF 1999, RELATING TO PER DIEM PAYMENTS FOR MEMBERS OF THE BOARD OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, TO PROVIDE THAT THE BOARD MAY ADJUST THE AMOUNT OF THE PER DIEM PAYMENTS AND TO PROVIDE FOR THE EFFECTIVE DATE OF THE ADJUSTED RATES.

THURSDAY, MAY 12, 2016

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 3710 -- Reps. Hixon, Norman, Taylor, Wells, Hamilton, Atwater, Brannon, Gagnon, Corley, Ballentine, Southard, Clemmons, Delleney, Gambrell, Huggins, Kennedy, Kirby, Loftis, D.C. Moss, Pitts, Riley, Rivers, Simrill, Toole and Bedingfield: A BILL TO AMEND SECTION 12-43-225, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO PROVIDE FIVE ADDITIONAL YEARS OF ELIGIBILITY IN CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO spoke on the Bill.

The Committee on Finance proposed the following amendment (BBM\3710C002.BBM.DG16), which was adopted:

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

/ SECTION 1. Section 12-43-225(D) of the 1976 Code, as last amended by Act 277 of 2014, is further amended to read:

“(D)(1) For lots which received the discount provided in subsection (B) on December 31, 2011, there is granted ~~an~~ additional ~~year~~ of eligibility for that discount in all property tax years ~~2012, 2013, 2014, and 2015~~ beginning after 2011 and before 2018, in addition to any remaining period provided for in subsection (B). If ten or more lots receiving the discount under this item are sold to a new owner primarily in the business of real estate development, the new owner may make written application within sixty days of the date of sale to the assessor for the remaining eligibility period under this item.

(2) For lots which received the discount provided in subsection (C) after December 31, 2008, and before January 1, 2012, upon written application to the assessor no later than thirty days after mailing of the property tax bill, there is granted ~~an~~ additional ~~year~~ of eligibility for that discount in all property tax years ~~2012, 2013, 2014, and 2015~~ beginning after 2011 and before 2018. If a lot receiving the additional eligibility under this item is transferred to a new owner primarily in the business of residential development or residential construction during its eligibility period, the new owner may apply to the county assessor for the discount allowed by this item for the remaining period of eligibility, which must

THURSDAY, MAY 12, 2016

be allowed if the new owner applied for the discount within thirty days of the mailing of the tax bill and meets the other requirements of this section.”

SECTION 2. This act takes effect upon approval by the Governor./
Re-number sections to conform.
Amend title to conform.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 34; Nays 10

AYES

Alexander	Allen	Bennett
Bright	Campbell	Cleary
Coleman	Corbin	Courson
Cromer	Davis	Fair
Gregory	Grooms	Hayes
Hembree	Jackson	Kimpson
Leatherman	Lourie	<i>Martin, Larry</i>
Massey	<i>Matthews, John</i>	Nicholson
Peeler	Rankin	Reese
Scott	Setzler	Shealy
Turner	Verdin	Williams
Young		

Total--34

NAYS

Bryant	Campsen	Hutto
Johnson	Malloy	<i>Martin, Shane</i>
<i>Matthews, Margie</i>	McElveen	Sabb
Sheheen		

Total--10

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

THURSDAY, MAY 12, 2016

READ THE SECOND TIME

H. 4138 -- Reps. Bedingfield and Clemmons: A BILL TO AMEND SECTION 40-11-270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTRACTOR'S LICENSES AND LICENSE CLASSIFICATIONS AND SUBCLASSIFICATIONS, SO AS 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 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.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 40; Nays 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cleary
Coleman	Corbin	Courson
Cromer	Davis	Fair
Gregory	Grooms	Hayes

[SJ]

16

THURSDAY, MAY 12, 2016

Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Lourie	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Turner	Verdin	Williams
Young		

Total--40

NAYS

Bright	Bryant	Sheheen
--------	--------	---------

Total--3

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

AMENDED, READ THE SECOND TIME

H. 4939 -- Education and Public Works Committee: A BILL TO ESTABLISH A COMMITTEE COMPOSED OF SPECIFIED MEMBERS TO REVIEW ALL EXISTING STATE EDUCATION STATUTES AND REPORT TO THE GENERAL ASSEMBLY THOSE WHICH ARE OBSOLETE OR NO LONGER APPLICABLE; AND TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP THE SYSTEM FOR PROVIDING SERVICES AND TECHNICAL ASSISTANCE FOR SCHOOL DISTRICTS ON A REGIONAL BASIS TO INCLUDE ACADEMIC ASSISTANCE AND ASSISTANCE WITH FINANCES, AND TO PROVIDE THAT THE SUPERINTENDENT OF EDUCATION SHALL REPORT THE DESIGN OF THE SYSTEM TO THE GENERAL ASSEMBLY NO LATER THAN DECEMBER 31, 2016, AND EVERY YEAR THEREAFTER REPORT THE PROGRESS OF THE SYSTEM IN REGARD TO ASSISTANCE PROVIDED TO LOCAL SCHOOL DISTRICTS, AND ALSO TO REQUIRE THAT THE DEPARTMENT OF EDUCATION SHALL MONITOR THE OPERATIONS OF SCHOOL BOARDS IN UNDERPERFORMING DISTRICTS TO DETERMINE IF THEY ARE OPERATING

[SJ]

THURSDAY, MAY 12, 2016

EFFICIENTLY AND EFFECTIVELY AND TO PROVIDE THAT THE DEPARTMENT SHALL MONITOR THE PROFESSIONAL DEVELOPMENT OF TEACHERS, STAFF, AND ADMINISTRATORS IN DISTRICTS IT DETERMINES ARE UNDERPERFORMING TO ASCERTAIN WHAT IMPROVEMENTS AND CHANGES ARE NECESSARY.

The Senate proceeded to a consideration of the Bill.

Senator BRIGHT proposed the following amendment (4939R001.EB.LB), which was adopted:

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

/ SECTION 1. The General Assembly directs the State Superintendent of Education, the Executive Director of the Education Oversight Committee, the Chairman of the House Education and Public Works Committee, and the Chairman of the Senate Education Committee to each appoint one representative to a committee to be chaired by the appointee of the State Superintendent of Education to review Title 59 of the South Carolina Code of Laws and report to the General Assembly all statutes that are obsolete or no longer applicable. In addition, the report must identify all the federal education statutes and regulations with which the State of South Carolina is required to comply. The committee, with the assistance of the Revenue and Fiscal Affairs Office, must include in the report the total cost to the State of South Carolina to comply with the identified federal education statutes and regulations. This report must be submitted by December 31, 2016, and updated at least every five years thereafter. /

Renumber sections to conform.

Amend title to conform.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer

[SJ]

THURSDAY, MAY 12, 2016

Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Lourie
Malloy	<i>Martin, Larry</i>	<i>Martin, Shane</i>
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

H. 3653 -- Reps. Pope, Quinn, Huggins, Allison, Spires, Hardee, Gagnon, Yow, Stavrinakis, H.A. Crawford, Kirby, McEachern, Anthony, Corley, Bales, Kennedy, Erickson, Hosey, Whitmire, Crosby, Southard, Tallon, McCoy, Burns, Atwater, Ballentine, Bannister, Bedingfield, Bernstein, R.L. Brown, Chumley, Clary, Collins, Felder, Finlay, Forrester, Funderburk, Gambrell, Hamilton, Herbkersman, Hicks, Hiott, Hixon, Hodges, Loftis, Long, V.S. Moss, Norman, Norrell, Pitts, Ridgeway, Riley, Sandifer, Simrill, G.R. Smith, Taylor, Thayer, Toole, Weeks, Wells, Willis, Mitchell, W.J. McLeod and Rivers: A BILL TO AMEND SECTION 23-1-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEMPORARY TRANSFER OF A LAW ENFORCEMENT OFFICER TO WORK IN A MULTIJURISDICTIONAL TASK FORCE, SO AS TO AUTHORIZE A LAW ENFORCEMENT AGENCY TO ENTER INTO MUTUAL AID AGREEMENTS OR MULTIJURISDICTIONAL TASK FORCE AGREEMENTS WITH OTHER LAW ENFORCEMENT PROVIDERS FOR ANY LENGTH OF TIME, TO

[SJ]

THURSDAY, MAY 12, 2016

PROVIDE THAT A SHERIFF MAY ENTER INTO AN AGREEMENT AS LONG AS THE AGREEMENT DOES NOT OBLIGATE HIS COUNTY'S GOVERNING BODY TO ANY ADDITIONAL RESOURCES BEYOND THOSE APPROVED WITHIN HIS ANNUAL BUDGET, TO PROVIDE THE CONDITIONS UPON WHICH AN AGREEMENT MAY BE TERMINATED, TO PROVIDE CERTAIN LIMITS PLACED UPON A LOCAL GOVERNING BODY WHEN IT ATTEMPTS TO PROHIBIT A LAW ENFORCEMENT AGENCY FROM TRANSFERRING OR ASSIGNING LAW ENFORCEMENT OFFICERS TO OTHER JURISDICTIONS, AND TO SPECIFY THE DIFFERENCES BETWEEN AGREEMENTS ENTERED INTO PURSUANT TO THIS SECTION AND UNDER THE LAW ENFORCEMENT ASSISTANCE SUPPORT ACT; AND TO REPEAL SECTION 23-1-215, AS AMENDED, RELATING TO AGREEMENTS THAT MAY BE ENTERED INTO BETWEEN MULTIPLE LAW ENFORCEMENT JURISDICTIONS FOR THE PURPOSE OF CRIMINAL INVESTIGATIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3653.001), which was adopted:

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

/ SECTION 1. Chapter 20, Title 23 of the 1976 Code is amended to read:

“Chapter 20

Law Enforcement Assistance and Support Act

Section 23-20-10. This chapter may be cited as the ‘Law Enforcement Assistance and Support Act’.

Section 23-20-20. As used in this chapter:

(1) ‘Law enforcement agency’ means any state, county, municipal, or local law enforcement authority that enters into ~~a contractual~~ an agreement for the procurement of law enforcement support services.

(2) ‘Law enforcement provider’ means any in-state or out-of-state law enforcement authority that provides law enforcement services to a law enforcement agency pursuant to this chapter.

(3) ‘Law enforcement services’ means any law enforcement assistance or service ~~for which a fee is paid based on a contractual agreement~~ performed by a certified law enforcement officer.

THURSDAY, MAY 12, 2016

(4) 'Mutual aid agreement' means any agreement entered into on behalf of a law enforcement agency in this State for the purpose of providing the proper and prudent exercise of public safety functions across jurisdictional lines, including, but not limited to, multijurisdictional task forces, criminal investigations, patrol services, crowd control, traffic control and safety, and other emergency service situations. Such agreements must not be permitted for the sole purpose of speed enforcement.

~~Section 23-20-30. (A) The General Assembly recognizes the need to promote public safety and further recognizes that there may be situations where additional law enforcement officers are needed to maintain the public peace and welfare. Therefore, the General Assembly authorizes a law enforcement agency~~ Any county, incorporated municipality, or other political subdivision of this State ~~to~~ may enter into ~~contractual~~ mutual aid agreements ~~with other law enforcement providers~~ as may be necessary for the proper and prudent exercise of public safety functions. ~~Public safety functions include traditional public safety activities which are performed over a specified time period for patrol services, crowd control and traffic control, and other emergency service situations. All contractual agreements shall~~ must adhere to the requirements contained in Section 23-20-40.

(B) Nothing in this chapter may be construed to alter, amend, or affect any rights, duties, or responsibilities of law enforcement authorities established by South Carolina's constitutional or statutory laws or established by the ordinances of South Carolina's political subdivisions, except as expressly provided for in this chapter.

Section 23-20-40. ~~(A) All written contractual mutual aid~~ agreements for law enforcement services must be in writing and include, but may not be limited to, the following:

- ~~(a)~~(1) a statement of the specific services to be provided;
- ~~(b)~~(2) specific language dealing with financial agreements between the parties;
- ~~(c)~~(3) specification of the records to be maintained concerning the performance of services to be provided to the agency;
- ~~(d)~~(4) language dealing with the duration, modification, and termination of the ~~contract~~ agreement;
- ~~(e)~~(5) specific language dealing with the legal contingencies for any lawsuits or the payment of damages that arise from the provided services;

THURSDAY, MAY 12, 2016

~~(f)~~(6) a stipulation as to which law enforcement authority maintains control over the law enforcement provider's personnel; and
~~(g)~~(7) specific arrangements for the use of equipment and facilities.

(B) Except as provided in subsection (C), a mutual aid agreement entered into on behalf of a law enforcement authority must be approved by the appropriate governing bodies of each concerned county, incorporated municipality, or other political subdivision of this State. Agreements entered into are executed between governing bodies, and, therefore, may last until the agreement is terminated by a participating party of the agreement.

(C) An elected official whose office was created by the Constitution or by general law of this State is not required to seek approval from the elected official's governing body in order to participate in mutual aid agreements.

(D) Provided the conditions and terms of the mutual aid agreements are followed, the chief executive officers of the law enforcement agencies in the concerned counties, incorporated municipalities, or other political subdivisions have the authority to send and receive such resources, including personnel, as may be needed to maintain the public peace and welfare.

(E) The officers of the law enforcement provider have the same legal rights, powers, and duties to enforce the laws of this State as the law enforcement agency requesting the services.

Section 23-20-60. The Governor, upon the request of a law enforcement authority or in his discretion, may by executive order, waive the requirement for a written ~~contractual~~ agreement for law enforcement services required by this chapter during a natural disaster or other emergency affecting public safety.”

SECTION 2. Sections 23-1-210, 23-1-215, and 23-20-50 of the 1976 Code are repealed.

SECTION 3. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the committee amendment.

The amendment was adopted.

The question then was second reading of the Bill.

THURSDAY, MAY 12, 2016

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

Ayes 44; Nays 0

AYES

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

Total--44

NAYS

Total--0

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

Motion under Rule 26B

Senator SHANE MARTIN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED
READ THE SECOND TIME**

S. 936 -- Senators Shealy, Bryant, Hembree, Alexander and Malloy:
A BILL TO AMEND SECTION 56-1-100 OF THE 1976 CODE,

[SJ]

THURSDAY, MAY 12, 2016

RELATING TO DRIVER'S LICENSES, TO PROVIDE FOR MINORS TO BE ABLE TO APPLY FOR A BEGINNER'S PERMIT, INSTRUCTION PERMIT, OR DRIVER'S LICENSE UNDER THE AUTHORIZATION OF A RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

The Senate proceeded to a consideration of the Bill.

Senators SHEALY, MALLOY, SHANE MARTIN, SETZLER and BRYANT proposed the following amendment (936R002.EB.KS), which was adopted:

Amend the committee report, as and if amended, page [936-1], by striking line 32 and inserting:

/ a responsible adult appointed by the South Carolina Department of Social Services or the court who is willing to assume the obligation imposed /

Re-number sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The Committee on Transportation proposed the following amendment (936R001.DR.LKG), which was adopted:

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

/ SECTION 1. Section 56-1-100 of the 1976 Code is amended to read:

“Section 56-1-100. The application of ~~an unemancipated~~ a minor for a beginner's permit, instruction permit, or driver's license must be signed and verified before a person authorized to administer oaths by the father, mother, ~~or guardian or, for all other minors,~~ by a responsible adult who is willing to assume the obligation imposed under this article upon a person signing the application of a minor. Upon the extension of a permit pursuant to Section 56-1-50, authorization by the father, mother, guardian, or a responsible adult is not required.” /

Re-number sections to conform.

Amend title to conform.

THURSDAY, MAY 12, 2016

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 44; Nays 0

AYES

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

Total--44

NAYS

Total--0

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

READ THE SECOND TIME

H. 4932 -- Rep. Allison: A BILL TO AMEND SECTION 56-5-4070, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAXIMUM LENGTHS OF VEHICLES THAT MAY BE OPERATED ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE A MAXIMUM LENGTH FOR TRAILERS OR SEMITRAILERS USED TO TRANSPORT VEHICLES USED IN CONNECTION WITH

THURSDAY, MAY 12, 2016

MOTORSPORTS COMPETITION EVENTS; TO AMEND SECTION 56-5-4130, RELATING TO THE MAXIMUM GROSS WEIGHT UPON ANY WHEEL OF CERTAIN VEHICLES ALLOWED TO OPERATE ALONG THE HIGHWAYS OF THIS STATE, SO AS TO PROVIDE AN OVER-THE-ROAD BUS, MOTORHOME, OR CERTAIN VEHICLES USED AS INTRASTATE PUBLIC AGENCY TRANSIT PASSENGER BUSES ARE EXCLUDED FROM AXLE SPACING REQUIREMENTS BUT ARE LIMITED TO A MAXIMUM SINGLE AXLE WEIGHT LIMIT, AND TO PROVIDE THAT THESE VEHICLES MUST HAVE REASONABLE ACCESS TO CERTAIN HIGHWAY FACILITIES; TO AMEND SECTION 56-5-4140, AS AMENDED, RELATING TO THE MAXIMUM GROSS WEIGHT OF VEHICLES ALLOWED TO OPERATE ALONG THE STATE'S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT AN OVER-THE-ROAD BUS, MOTORHOME, OR CERTAIN VEHICLES USED AS INTRASTATE PUBLIC AGENCY TRANSIT PASSENGER BUSES ARE EXCLUDED FROM CERTAIN AXLE SPACING REQUIREMENTS BUT ARE LIMITED TO A MAXIMUM SINGLE AXLE WEIGHT LIMIT, AND TO PROVIDE THAT THESE VEHICLES MUST HAVE REASONABLE ACCESS TO CERTAIN HIGHWAY FACILITIES; TO AMEND SECTION 56-5-4160, AS AMENDED, RELATING TO THE ENFORCEMENT OF PROVISIONS THAT ESTABLISH WEIGHT LIMITS FOR VEHICLES THAT OPERATE ALONG THE STATE'S HIGHWAYS, SO AS TO REVISE THE MAXIMUM WEIGHT LIMIT ALLOWED FOR A VEHICLE OR COMBINATION OF VEHICLES EQUIPPED WITH AN IDLE REDUCTION SYSTEM; AND TO AMEND SECTION 56-35-30, RELATING TO VEHICLES EQUIPPED WITH AUXILIARY POWER UNITS, SO AS TO REVISE THE ALLOWABLE GROSS WEIGHT OF THE VEHICLE USED TO DETERMINE WHETHER THE VEHICLE HAS VIOLATED PROVISIONS RELATING TO VEHICLE WEIGHT RESTRICTIONS.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

[SJ]

26

THURSDAY, MAY 12, 2016

AYES

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

Total--43

NAYS

Total--0

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

READ THE SECOND TIME

H. 4999 -- Reps. Goldfinch, Merrill, Clemmons, Ridgeway, G.M. Smith, Yow, Erickson and Long: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 30, TITLE 44 SO AS TO BE ENTITLED "IMMUNITY FROM LIABILITY FOR PROVIDING FREE HEALTH CARE SERVICES", AND TO PROVIDE THAT THE SERVICES OF A HEALTH CARE PROVIDER TREATING A PATIENT FREE OF CHARGE ARE DEEMED TO BE WITHIN THE SCOPE OF THE GOOD SAMARITAN STATUTE; TO REENTITLE CHAPTER 30, TITLE 44 AS "HEALTH CARE PROFESSIONALS"; TO DESIGNATE SECTIONS 44-30-10 THROUGH 44-30-90 AS ARTICLE 1, CHAPTER 30, TITLE 44, ENTITLED "HEALTH CARE

[SJ]

THURSDAY, MAY 12, 2016

PROFESSIONAL COMPLIANCE ACT"; AND TO AMEND SECTION 38-79-30, RELATING TO LIABILITY OF HEALTH CARE PROVIDERS WHEN PROVIDING FREE MEDICAL CARE, SO AS TO REQUIRE A WRITTEN AGREEMENT OF PROVISION OF THE VOLUNTARY, UNCOMPENSATED CARE AND TO ALLOW THE WRITTEN AGREEMENT TO BE AN ELECTRONIC RECORD.

The Senate proceeded to a consideration of the Bill.

Senator CLEARY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

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

Total--41

NAYS

Total--0

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

THURSDAY, MAY 12, 2016

READ THE SECOND TIME

S. 1257 -- Senator Cleary: A BILL TO AMEND SECTION 7-7-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHARLESTON COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THE CHARLESTON COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO STRIKE OBSOLETE REFERENCES TO THE OFFICE OF RESEARCH AND STATISTICS.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

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

Total--41

NAYS

Total--0

THURSDAY, MAY 12, 2016

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

**AMENDED, AMENDMENT PROPOSED
CARRIED OVER**

H. 3313 -- Reps. Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V.S. Moss, Norman, Stringer, Toole, W.J. McLeod and Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER-OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN proposed the following amendment (BBM\3313C003.BBM.DG16), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, after line 31, by adding a subsection to read:

[SJ]

THURSDAY, MAY 12, 2016

/ (C) This section only applies when the local jurisdiction requires the designation of ‘green space for conservation’ or ‘open space’ as a condition to develop residential or commercial property.” /

Re-number sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Senator YOUNG proposed the following amendment (3313R006.EB.TRY):

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Section 12-43-220(d)(4) of the 1976 Code is amended to read:

“(4) Except as provided pursuant to Section 12-43-222, when real property which is in agricultural use and is being valued, assessed, and taxed under the provisions of this article, is applied to a use other than agricultural, it is subject to additional taxes, hereinafter referred to as roll-back taxes, in an amount equal to the difference, if any, between the taxes paid or payable on the basis of the valuation and the assessment authorized hereunder and the taxes that would have been paid or payable had the real property been valued, assessed, and taxed as other real property in the taxing district, in the current tax year (the year of change in use) and each of the five tax years immediately preceding in which the real property was valued, assessed, and taxed as herein provided. However, if property which is in agricultural use and is being valued, assessed, and taxed under the provisions of this article is transferred via testate or intestate succession or distributed via testamentary trust or inter vivos trust to a new owner, the property shall not be subject to roll-back taxes and will continue to be valued, assessed, and taxed under the provisions of this article for the tax year in which the transfer occurs and the subsequent tax year. Prior to the end of this two-year period, the county where the property is located shall notify the owner the property will no longer be valued, assessed, and taxed under the provisions of this article unless the land remains in agricultural use. If in the tax year in which a change in use of the real property occurs the real property was not valued, assessed, and taxed under this article, then the real property is subject to roll-back taxes for each of the five tax years immediately

[SJ]

THURSDAY, MAY 12, 2016

preceding in which the real property was valued, assessed, and taxed hereunder. In determining the amounts of the roll-back taxes chargeable on real property which has undergone a change in use, the assessor shall for each of the roll-back tax years involved ascertain:

(A) the fair market value without consideration of the standing timber of such real property under the valuation standard applicable to other real property in the same classification;

(B) the amount of the real property assessment for the particular tax year by multiplying such fair market value by the appropriate assessment ratio provided in this article;

(C) the amount of the additional assessment on the real property for the particular tax year by deducting the amount of the actual assessment on the real property for that year from the amount of the real property assessment determined under (B) of this section;

(D) the amount of the roll-back for that tax year by multiplying the amount of the additional assessment determined under (C) of this section by the property tax rate of the taxing district applicable for that tax year.”/

Re-number sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

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

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

H. 4931 -- Reps. Gambrell, Gagnon, Bannister, Mitchell and Thayer: A BILL TO AMEND SECTION 38-53-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EDUCATION AND CONTINUING EDUCATION REQUIREMENTS FOR PROFESSIONAL BONDSMEN, SURETY BONDSMEN, AND RUNNERS, SO AS TO INCREASE THE NUMBER OF HOURS OF EDUCATION REQUIRED FOR LICENSURE AND FOR CONTINUING EDUCATION; AND TO AMEND SECTION 38-53-320, RELATING TO VISITING AND EXAMINING PROFESSIONAL BONDSMEN BY THE DEPARTMENT OF INSURANCE, SO AS TO SUBJECT SURETIES TO THESE VISITS AND EXAMINATIONS, AND TO REQUIRE BONDSMEN TO MAINTAIN A PROPERLY ZONED OFFICE IN THIS STATE THAT IS ACCESSIBLE TO THE GENERAL PUBLIC AND DEPARTMENT

[SJ]

THURSDAY, MAY 12, 2016

DURING NORMAL BUSINESS HOURS, AND TO REQUIRE THE BONDSMAN TO PROVIDE CERTAIN CONTACT INFORMATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (NBD\4931C001.NBD.CZ16), which was adopted:

Amend the bill, as and if amended, by striking Section 38-53-85(B) and (C), as contained in SECTION 1, and inserting:

/ (B) A person licensed as a professional bondsman, surety bondsman, or runner before the effective date of this section is not required to complete the requisite ~~twenty~~ thirty hours of education but must complete ~~six~~ eight hours of continuing education courses ~~in order~~ to have his license renewed.

(C) The South Carolina Bail Agent's Association or ~~any other~~ another group or association approved by the Department of Insurance to provide educational courses to bondsmen must establish an educational curriculum for bondsman licensure. The department of ~~Insurance~~ must approve the courses offered and ensure that the courses meet the standards for education established by this section and the department. The ~~requirement of~~ requirement for licensure is may not be satisfied by a mail order course. The department also must ~~also~~ approve a written examination to be administered by ~~all groups who provide a group that provides~~ educational courses ~~to be~~ administered at the conclusion of the ~~twenty-hour~~ thirty-hour course work. /

Amend the bill further, as and if amended, by striking Section 38-53-320(B), as contained in SECTION 2, and inserting:

/ (B) A bondsman owner/operator licensed or renewed after June 30, 2017, also shall maintain one properly zoned office in this State, and this office must be accessible to the general public and the director or his designee making the examination during normal business hours, excluding weekends and holidays. A bondsman shall provide the street address and mailing address to the department and must notify the department of a change in this street address or mailing address within thirty days of the change. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

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

THURSDAY, MAY 12, 2016

**AMENDMENT PROPOSED
CARRIED OVER**

H. 3560 -- Reps. Limehouse, Sottile, McCoy and Spires: A BILL TO AMEND SECTION 59-25-460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE AND HEARINGS FOR DISMISSAL OF A TEACHER, SO AS TO PROVIDE THAT THE BOARD MAY DESIGNATE A HEARING OFFICER TO CONDUCT A DISMISSAL HEARING AND ISSUE A REPORT WITH RECOMMENDATIONS, TO PROVIDE RELATED REQUIREMENTS OF A HEARING OFFICER, TO PROVIDE A HEARING MUST BE PRIVATE UNLESS THE TEACHER REQUESTS IN WRITING THAT THE HEARING BE PUBLIC, TO PROVIDE THAT A NOTICE OF DISMISSAL MUST BE GIVEN BY THE SUPERINTENDENT OR HIS DESIGNEE INSTEAD OF THE SCHOOL BOARD, TO SPECIFY USE OF A COURT REPORTER TO RECORD THE PROCEEDINGS, AND TO PROVIDE AN APPEALS PROCESS.

The Senate proceeded to a consideration of the Bill.

Senator KIMPSON proposed the following amendment (BBM\3560C001.BBM.AB16):

Amend the bill, as and if amended, Section 59-25-460, as contained in SECTION 3, by striking the section in its entirety and inserting:

~~/ No teacher shall be dismissed unless written notice specifying the cause of dismissal is first given the teacher by the District Board of Trustees and an opportunity for a hearing has been afforded the teacher. Such written notice shall include the fact that a hearing before the board is available to the teacher upon request provided, such request is made in writing within fifteen days as prescribed by Section 59-25-470. Any such hearing shall be public unless the teacher requests in writing that it be private. The District Board of Trustees may issue subpoenas requiring the attendance of witnesses at any hearing and, at the request of the teacher against whom a charge is made, shall issue such subpoenas, but it may limit the number of witnesses to be subpoenaed in behalf of the teacher to not more than ten. All testimony at any hearing shall be taken under oath. Any member of the board may administer oaths to witnesses. The board shall cause a record of the proceedings to be kept and shall employ a competent reporter to take stenographic or stenotype notes of all of the testimony. If the board's decision is favorable to the teacher,~~

THURSDAY, MAY 12, 2016

~~the board shall pay the cost of the reporter's attendance and services at the hearing. If the decision is unfavorable to the teacher, one half of the cost of the reporter's attendance and services shall be borne by the teacher. Either party desiring a transcript of the hearing shall pay for the costs thereof.~~

(A)(1) A teacher may not be dismissed unless written notice specifying the cause of dismissal first is given the teacher by the superintendent and the teacher is given an opportunity for a evidentiary hearing which must be:

- (a) before the board or a designee of the board; and
- (b) public unless the teacher requests it writing that it be private.

(2) A teacher is entitled to elect whether he wants the evidentiary hearing held by the board or a designee of the board. If the teacher elects for the hearing to be held before a designee of the board, the designee must be a person mutually agreed upon by the board and the teacher.

(3) Written notice required in this subsection must state that the teacher is entitled to a hearing before the board or its designee upon request if made in writing within fifteen days as provided in Section 59-25-470.

(4) The superintendent or his designee may meet with the teacher before issuing a notice of dismissal to discuss alternative resolutions. The parties attending this meeting must have the option of having a representative present.

(B)(1) A designee of the board must be:

- (a) an attorney licensed to practice law in this State;
- (b) certified by the South Carolina Supreme Court as a mediator or arbitrator; and
- (c) designated by the board to hear all evidentiary hearings in the district for the school year, except when:

(2) If the designee holds the evidentiary hearing, he shall issue a written report and recommendation containing findings of facts and conclusions of law to the board, superintendent, and teacher within fifteen days after the hearing concludes. The superintendent and the teacher may submit a written response to this report and recommendation to the board within ten days after the date on which the report and recommendation are issued, after which the board shall issue a decision affirming or withdrawing the notice of suspension or dismissal within thirty days. In the interim, the board may conduct a hearing on the order to consider any written responses from the superintendent and teacher, but this hearing may not operate to extend the thirty day limit in which

THURSDAY, MAY 12, 2016

the board shall issue its decision affirming or withdrawing the notice of suspension or dismissal. The board retains final decision-making authority regarding the teacher dismissal or suspension recommendation based on its consideration of the record, the report and recommendation, and any written submission of the superintendent and teacher.

(C) If the board holds the evidentiary hearing, the board shall issue its decision within the thirty days after the hearing. This decision must be in writing and must include findings of facts and conclusions of law.

(D) The board shall determine if the evidence shows good and just cause for the notice of suspension or dismissal, and accordingly shall render a decision to affirm or withdraw the notice of suspension or dismissal.

(E) The District Board of Trustees as provided in subsection (C), or its designee, as provided in subsection (B), may issue subpoenas requiring the attendance of witnesses at any the hearing and, at the request of the teacher against whom a charge is made, shall issue such these subpoenas, but it may limit the number of these witnesses to be subpoenaed in behalf of the teacher to not more than ten. All Testimony at any a hearing shall must be taken under oath. Any A member of the board, or its designee, may administer oaths to witnesses. The board, or its designee, shall cause a record of the proceedings to be kept and shall employ a competent reporter to take stenographic or stenotype notes of all of the testimony.

(F) If the board's decision is favorable to the teacher, the board shall pay the cost of the reporter's attendance and services at the hearing. If the decision is unfavorable to the teacher, one-half of the cost of the reporter's attendance and services shall must be borne by the teacher. Either A party desiring a transcript of the hearing shall must pay for the costs thereof of obtaining the transcript." /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

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

CARRIED OVER

H. 3891 -- Reps. Toole, Long, Bedingfield, J.E. Smith, Anderson, Forrester, Rutherford and Sandifer: A BILL TO AMEND SECTION 56-31-50, CODE OF LAWS OF SOUTH CAROLINA, 1976,

[SJ]

THURSDAY, MAY 12, 2016

RELATING TO SURCHARGES ON RENTAL OR PRIVATE PASSENGER MOTOR VEHICLES FOR THIRTY-ONE DAYS OR LESS, SO AS TO DEFINE NECESSARY TERMS, TO DELETE EXISTING SURCHARGE PROVISIONS, TO INSTEAD PROVIDE RENTAL COMPANIES ENGAGED IN THE BUSINESS OF RENTING VEHICLES FOR PERIODS OF NINETY DAYS OR LESS MAY CHARGE SEPARATELY STATED FEES WHICH MAY INCLUDE CERTAIN FEES AND TAXES, TO PROVIDE THE AMOUNT OF THE CHARGE MUST REPRESENT THE GOOD FAITH ESTIMATE BY THE MOTOR VEHICLE RENTAL COMPANY OF ITS DAILY CHARGE CALCULATED TO RECOVER ITS ACTUAL TOTAL ANNUAL RECOVERABLE COSTS, TO PROVIDE REQUIREMENTS FOR WHEN THE TOTAL AMOUNT OF THE VEHICLE LICENSE FEES COLLECTED BY A MOTOR VEHICLE RENTAL COMPANY IN ANY CALENDAR YEAR EXCEEDS THE ACTUAL COSTS OF THE CAR RENTAL COMPANY DURING THAT PERIOD, TO REQUIRE A CERTAIN DESCRIPTION OF VEHICLE LICENSE FEES IN THE VEHICLE RENTAL AGREEMENTS, AND TO PROVIDE THAT VEHICLE LICENSE FEES ARE SUBJECT TO CERTAIN SALES AND USE TAXES.

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

H. 4817 -- Rep. Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-53-95 SO AS TO REQUIRE AN INDIVIDUAL WHO APPLIES FOR A BONDSMAN OR RUNNER LICENSE TO PROVIDE HIS BUSINESS, EMAIL, MAILING, AND RESIDENTIAL STREET ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38-43-107, RELATING TO THE ADDRESS REQUIREMENT FOR AN INSURANCE PRODUCER'S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38-45-30, RELATING TO REQUIREMENTS FOR A NONRESIDENT TO BE LICENSED AS AN INSURANCE BROKER, SO AS TO DELETE THE AFFIDAVIT REQUIREMENTS; TO AMEND SECTION 38-45-110, RELATING TO WARNING STAMPS ON POLICIES OF ELIGIBLE SURPLUS LINES INSURANCE, SO AS TO NO LONGER REQUIRE A BROKER TO WRITE OR STAMP A WARNING ON THE FACE OF AN APPLICATION FOR ELIGIBLE SURPLUS LINES INSURANCE;

[SJ]

THURSDAY, MAY 12, 2016

TO AMEND SECTION 38-47-15, RELATING TO THE ADDRESS REQUIREMENT FOR AN INSURANCE ADJUSTER'S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38-48-30, RELATING TO THE ADDRESS REQUIREMENT FOR A PUBLIC INSURANCE ADJUSTER'S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38-49-25, RELATING TO THE ADDRESS REQUIREMENT FOR A MOTOR VEHICLE PHYSICAL DAMAGE APPRAISER'S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT.

Senator CROMER explained the Bill.

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

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

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

S. 1115 -- Senators Gregory, Rankin and Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DIVORCE IN THIS STATE, SO AS TO PROVIDE A PUBLIC POLICY OF THE STATE OF SOUTH CAROLINA REGARDING THE AWARD OF ALIMONY.

[SJ]

THURSDAY, MAY 12, 2016

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

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

Senator MALLOY spoke on the Bill.

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

H. 4937 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-59-175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS.

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

H. 4938 -- Education and Public Works Committee: A JOINT RESOLUTION TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION, WITH THE ASSISTANCE OF OTHER ENTITIES, SHALL SURVEY STUDENTS ENROLLED IN THE STATE'S COLLEGES OF EDUCATION AND INCLUDE QUESTIONS INQUIRING AS TO WHETHER THE STUDENTS HAVE EVER CONSIDERED TEACHING IN A RURAL AND ECONOMICALLY CHALLENGED SCHOOL DISTRICT AND WHAT INCENTIVES, IF ANY, WOULD CAUSE THEM TO CONSIDER WORKING IN SUCH A DISTRICT.

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

H. 4090 -- Reps. Bedingfield, Sandifer, G.A. Brown, Ballentine and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-29-25 SO AS TO PROVIDE ACTIONS THAT REQUIRE A CERTIFICATE OF AUTHORITY AS A PAWN BROKER; BY ADDING SECTION

THURSDAY, MAY 12, 2016

40-29-55 SO AS TO PROVIDE FOR THE PERIODIC ADJUSTMENT OF CERTAIN MONETARY REQUIREMENTS IN A CERTAIN MANNER; BY ADDING SECTION 40-29-145 SO AS TO HOLD ORDERS ON PROPERTY IN THE POSSESSION OF A PAWNBROKER SUSPECTED TO HAVE BEEN MISAPPROPRIATED OR STOLEN; BY ADDING SECTION 40-29-155 SO AS TO PROVIDE A PERSON AGGRIEVED BY THE FINAL ADMINISTRATIVE ORDER OF THE DEPARTMENT OF CONSUMER AFFAIRS MAY REQUEST A CONTESTED CASE HEARING BEFORE THE ADMINISTRATIVE LAW COURT, AND TO PROVIDE THE DEPARTMENT MAY BRING AN ACTION TO ENFORCE ITS ORDER IF THE PERSON FAILS TO TIMELY REQUEST A CONTESTED CASE HEARING; TO AMEND SECTION 40-39-10, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PAWNBROKERS BY THE DEPARTMENT, SO AS TO REVISE THE DEFINITION OF "PLEGGED GOODS" SPECIFICALLY TO EXCLUDE CERTAIN VEHICLES; TO AMEND SECTION 40-39-20, RELATING TO REGULATIONS OF PAWN BROKERS, SO AS TO REVISE REQUIREMENTS CONCERNING BACKGROUND CHECKS AND TO PROHIBIT THE EMPLOYMENT OF A PERSON CONVICTED OF A FELONY TO ENGAGE IN THE WORK OF A PAWNBROKER, SUBJECT TO CERTAIN EXCEPTIONS; TO AMEND SECTION 40-39-30, RELATING TO THE REQUIREMENT OF A CERTIFICATE OF AUTHORITY FOR EACH BUSINESS LOCATION OF A PAWNBROKER, SO AS TO PROVIDE A PAWNBROKER MAY RETAIN NO PLEDGED GOODS IN A LOCATION OTHER THAN THE LOCATION DESIGNATED IN THE CERTIFICATE OF AUTHORITY WITHOUT FIRST FILING A NOTIFICATION WITH THE DEPARTMENT ON A FORM PRESCRIBED BY THE DEPARTMENT, AND TO PROVIDE A PAWNBROKER CONSPICUOUSLY SHALL POST THE HOURS OF OPERATION AND ANY CLOSURE AT EACH LOCATION; TO AMEND SECTION 40-39-40, RELATING TO THE PROHIBITION ON UNAUTHORIZED FEES, SO AS TO PROVIDE A PAWNBROKER THAT COLLECTS SUCH UNAUTHORIZED FEES MAY NOT COLLECT, RECEIVE, OR RETAIN ANY INTEREST OR CHARGES ON THE LOAN IN VIOLATION OF THIS CHAPTER AND HAS NO RIGHT TO POSSESS THE PLEDGED GOODS; TO AMEND SECTION 40-39-50, RELATING TO BONDS AND OTHER

[SJ]

THURSDAY, MAY 12, 2016

EVIDENCE OF FINANCIAL RESPONSIBILITY REQUIRED FOR A CERTIFICATE OF AUTHORITY, SO AS TO REVISE AND DELETE SOME EXISTING REQUIREMENTS AND TO PROVIDE WITHIN TWENTY-ONE CALENDAR DAYS AFTER THE OCCURRENCE OF AN EVENT THAT MAY AFFECT PLEDGED GOODS, A PAWNBROKER SHALL FILE A WRITTEN NOTICE ON A FORM PRESCRIBED BY THE DEPARTMENT DESCRIBING THE EVENT AND ITS EXPECTED IMPACT UPON THE BUSINESS; TO AMEND SECTION 40-39-70, RELATING TO RECORD KEEPING REQUIREMENTS, SO AS TO INCLUDE SALES AMONG THE AFFECTED TRANSACTIONS, TO REQUIRE VERIFICATION OF THE IDENTITY OF A PLEDGOR OR SELLER IN A CERTAIN MANNER, AND TO PROVIDE A PAWN OR PURCHASE TRANSACTION MUST BE PERFORMED BY THE OWNER OF THE PROPERTY, OR HIS AUTHORIZED AGENT, WHOSE IDENTITY AND AGENCY RELATIONSHIP MUST BE VERIFIED BY THE PAWNBROKER; TO AMEND SECTION 40-39-80, RELATING TO THE ISSUANCE OF A MEMORANDUM OR NOTE AT THE TIME OF PAWNING OR PLEDGING, SO AS TO CHARACTERIZE THE MEMORANDUM OR NOTE AS A "PAWN TICKET" AND TO PROVIDE DETAILED, RELATED REQUIREMENTS; TO AMEND SECTION 40-39-100, RELATING TO PERMISSIBLE CHARGES ON LOANS BY PAWNBROKERS, SO AS TO REVISE THE MAXIMUM PERMISSIBLE AMOUNT; TO AMEND SECTION 40-39-120, RELATING TO THE RENEWAL OF A CERTIFICATE OF AUTHORITY, SO AS TO PROVIDE PENALTIES FOR FAILING TO TIMELY RENEW, AND TO PROVIDE REQUIREMENTS FOR A PAWN SHOP THAT MUST CLOSE BECAUSE OF A SURRENDER OR REVOCATION OF ITS CERTIFICATE OF AUTHORITY; TO AMEND SECTION 40-39-140, RELATING TO THE ACCEPTANCE OF PROPERTY OWNED BY A THIRD PARTY, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A PAWNBROKER MUST RETURN PLEDGED PROPERTY THAT HAD BEEN LEASED BY A SELLER OR PLEDGOR TO THE LESSOR OF THE PROPERTY, AND TO PROVIDE A PAWNBROKER IS NOT LIABLE TO THE PLEDGOR OR SELLER OF PROPERTY THAT IS RECOVERED BY A LESSOR FOR RETURNING THE PROPERTY TO A LESSOR; AND TO AMEND SECTION 40-39-150, RELATING TO FINES AND PENALTIES FOR VIOLATIONS, SO AS TO TRANSFER CERTAIN AUTHORITY

[SJ]

THURSDAY, MAY 12, 2016

CONCERNING THESE FINES AND PENALTIES FROM THE ADMINISTRATIVE LAW COURT TO THE DEPARTMENT.

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

H. 4941 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-90 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP AND ADOPT A STATEWIDE PROGRAM FOR IDENTIFYING FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A SCHOOL DISTRICT AND FOR ADVISING THE DISTRICT ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO DIRECT THE DEPARTMENT TO PROMULGATE EMERGENCY REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND BY ADDING SECTION 59-20-95 SO AS TO REQUIRE THE STATE AUDITOR TO ADOPT THE STATEWIDE PROGRAM CREATED BY THE DEPARTMENT OF EDUCATION IN SECTION 59-20-90 AND USE IT TO IDENTIFY FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY AND TO ADVISE THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO PROVIDE EXCEPTIONS TO ENABLE THE STATE AUDITOR TO DIRECT THE DEPARTMENT TO IMMEDIATELY ASSUME EMERGENCY MANAGEMENT OF THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FOR WHICH IT HAS MADE A DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, TO CONTINUE THIS EMERGENCY MANAGEMENT OF THE LOCAL EDUCATION AGENCY UNTIL THE STATE AUDITOR RELEASES THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FROM THE DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AS APPLICABLE, AND TO DIRECT THE STATE AUDITOR TO PROMULGATE EMERGENCY REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

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

[SJ]

THURSDAY, MAY 12, 2016

S. 1162 -- Senators Peeler and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-61-55 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CREATE PRIMARY AND SECONDARY CALL LISTS FOR AIR AMBULANCE SERVICE PROVIDERS, PROVIDE THE LISTS AND AIR AMBULANCE FEE SCHEDULES TO CERTAIN PERSONS AND ENTITIES, AND ESTABLISH AIR AMBULANCE SERVICE RESPONSE ZONES AND PROTOCOL FOR RESPONDING TO REQUESTS FOR AIR AMBULANCE SERVICES, TO REQUIRE AIR AMBULANCE SERVICE PROVIDERS TO PROVIDE FEE SCHEDULES UPON REQUEST, AND TO REQUIRE HOSPITALS TO MAKE REASONABLE EFFORTS TO INFORM PATIENTS OF AIR AMBULANCE FEES BEFORE REFERRAL, WITH EXCEPTIONS; TO AMEND SECTION 44-61-30, AS AMENDED, RELATING TO STANDARDS AND REGULATIONS TO IMPROVE EMERGENCY MEDICAL SERVICES, SO AS TO REQUIRE REGULATIONS FOR AIR AMBULANCE SERVICE PROVIDERS; AND BY ADDING SECTIONS 38-71-295 AND 42-5-75 SO AS TO DEFINE CERTAIN TERMS PERTAINING TO CLASSIFICATION OF EMERGENCY SERVICES FOR PURPOSES OF ACCIDENT AND HEALTH INSURANCE POLICIES AND WORKERS' COMPENSATION INSURANCE POLICIES.

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

H. 4547 -- Reps. Rutherford, Hosey and Alexander: A BILL TO AMEND SECTION 63-19-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "CHILD" AND "JUVENILE" IN THE JUVENILE JUSTICE CODE, SO AS TO CHANGE THE AGE TO A PERSON UNDER TWENTY-ONE YEARS OF AGE, WITH EXCEPTIONS; TO AMEND SECTIONS 63-19-1030, 63-19-1210, 63-19-1410, 63-19-1420, 63-19-1440, AS AMENDED, 63-19-1650, AND 63-19-2050, AS AMENDED, ALL RELATING TO JUVENILE JUSTICE, SO AS TO MAKE CONFORMING CHANGES.

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

THURSDAY, MAY 12, 2016

POINT OF ORDER

S. 1052 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-180 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION IS AUTHORIZED TO SUBMIT FINGERPRINTS COLLECTED BY CERTAIN AGENCIES TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE FOR THEIR RETENTION AND USE.

Point of Order

Senator SHANE MARTIN 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. 4262 -- Reprs. Erickson, M.S. McLeod, Collins and Long: A BILL TO AMEND SECTION 63-13-825, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAINING FOR FAMILY CHILDCARE HOME OPERATORS AND EMPLOYEES, SO AS TO REQUIRE ADDITIONAL TRAINING; TO AMEND SECTION 63-13-830, RELATING TO STATEMENTS OF REGISTRATION FOR FAMILY CHILDCARE HOMES, SO AS TO PROVIDE ADDITIONAL AUTHORITY OF THE DEPARTMENT OF SOCIAL SERVICES AND RIGHTS OF FAMILY CHILDCARE HOMES; AND TO AMEND SECTION 63-13-850, RELATING TO APPEALS OF DECISIONS TO WITHDRAW A STATEMENT OF REGISTRATION OF A FAMILY CHILDCARE HOME, SO AS TO ALSO ADDRESS APPEALS OF DECISIONS TO DENY AN APPLICATION FOR A STATEMENT OR RENEWAL OF REGISTRATION.

Point of Order

Senator SHANE MARTIN 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, MAY 12, 2016

POINT OF ORDER

H. 4413 -- Reps. H.A. Crawford, Norrell, M.S. McLeod, Henegan, V.S. Moss, Hicks and King: A BILL TO AMEND SECTION 63-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LOCATIONS AT WHICH A PERSON MAY LEAVE AN INFANT UNDER CERTAIN CIRCUMSTANCES WITHOUT CRIMINAL PENALTY, SO AS TO REQUIRE SAFE HAVENS TO POST A NOTICE STATING THAT THE LOCATION IS A SAFE HAVEN, TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PREPARE THE NOTICE FOR USE BY SAFE HAVENS, TO ALLOW THE PLACEMENT OF AN INFANT NOT MORE THAN ONE YEAR OLD AT A SAFE HAVEN, AND TO CHANGE THE DEFINITION OF "INFANT".

Point of Order

Senator SHANE MARTIN 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. 4492 -- Reps. Putnam, Clyburn, Collins, Clary, Erickson, Long, Ryhal, Herbkersman, Newton, Tinkler, Jordan, Hicks, McCoy, M.S. McLeod, Douglas, Henegan, Allison, G.M. Smith, Funderburk, Finlay and Pitts: A BILL TO AMEND SECTION 63-7-1630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICE OF CHILD ABUSE AND NEGLECT HEARINGS, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE TEN DAYS NOTICE OF A HEARING TO, AMONG OTHERS, FOSTER PARENTS AND TO REQUIRE THE NOTICE TO INFORM FOSTER PARENTS OF THE RIGHT TO SUBMIT A REPORT TO THE COURT; TO AMEND SECTION 63-7-1700, AS AMENDED, RELATING TO PERMANENCY PLANNING FOR CHILDREN IN FOSTER CARE, SO AS TO REQUIRE THE DEPARTMENT TO PROVIDE NOTICE OF A PERMANENCY PLANNING HEARING TO FOSTER PARENTS AND OTHER PERSONS PROVIDING CARE FOR A CHILD; AND TO AMEND SECTION 63-11-720, RELATING TO FUNCTIONS OF THE FOSTER CARE REVIEW BOARD, SO AS TO REQUIRE THE FOSTER CARE REVIEW BOARD TO ADVISE FOSTER PARENTS

[SJ]

THURSDAY, MAY 12, 2016

ABOUT THE RIGHT TO SUBMIT A REPORT TO AND BE HEARD BY THE COURT AT A HEARING CONCERNING THE CHILD.

Point of Order

Senator SHANE MARTIN 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. 4546 -- Reps. Putnam, Clyburn, Robinson-Simpson, Thayer, Collins, Clary, Erickson, Long, Ryhal, Herbkersman, Newton, Jordan, Hicks, McCoy, M.S. McLeod, Douglas, Henegan, Allison, Quinn, Funderburk, Finlay, Jefferson, Willis and Bedingfield: A BILL TO AMEND SECTION 63-7-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN THE CHILDREN'S CODE, SO AS TO ADD DEFINITIONS FOR "AGE-APPROPRIATE ACTIVITY", "CAREGIVER", AND "STANDARD OF CARE OF A REASONABLE AND PRUDENT PARENT"; TO AMEND SECTION 63-7-1700, AS AMENDED, RELATING TO PERMANENCY PLANNING, SO AS TO PROVIDE FOR COURT CONSIDERATION OF LOCAL FOSTER CARE REVIEW BOARD RECOMMENDATIONS, TO REQUIRE THE COURT TO TAKE INTO CONSIDERATION RECOMMENDATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, THE LOCAL FOSTER CARE REVIEW BOARD, AND THE GUARDIAN AD LITEM BEFORE APPROVING A PLACEMENT PLAN, AND TO REQUIRE THE COURT TO REVIEW THE DEPARTMENT'S EFFORTS TO ENSURE A FOSTER CHILD HAS THE OPPORTUNITY TO ENGAGE IN AGE-APPROPRIATE ACTIVITIES; TO AMEND SECTION 63-7-2310, RELATING TO THE FOSTER CARE SYSTEM, SO AS TO REQUIRE THE DEPARTMENT TO MAKE EFFORTS TO NORMALIZE THE LIVES OF CHILDREN IN FOSTER CARE BY ENABLING PARTICIPATION IN AGE-APPROPRIATE ACTIVITIES; TO AMEND SECTION 63-11-720, RELATING TO FUNCTIONS AND POWERS OF LOCAL FOSTER CARE REVIEW BOARDS, SO AS TO CHANGE THE FREQUENCY WITH WHICH THESE BOARDS MUST REVIEW CASES OF CHILDREN IN FOSTER CARE AND CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION

[SJ]

THURSDAY, MAY 12, 2016

63-11-750, RELATING THE FOSTER CARE REVIEW BOARD'S RIGHT TO PARTICIPATE IN CHILD ABUSE AND NEGLECT JUDICIAL PROCEEDINGS, SO AS TO ALLOW THE BOARD TO INTRODUCE, EXAMINE, AND CROSS-EXAMINE WITNESSES; AND FOR OTHER PURPOSES.

Point of Order

Senator SHANE MARTIN 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.

ADOPTED

S. 1283 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC HIGHWAY 45 IN BERKELEY COUNTY FROM THE REDIVERSION CANAL TO ITS INTERSECTION WITH THE DIVERSION CANAL "WALTER HILL, JR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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 Resolution was adopted, ordered returned to the House.

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

MADE SPECIAL ORDER

H. 3799 -- Reps. Hixon, Simrill, Taylor, Loftis, Burns, Brannon, Spires, Yow, Clemmons, Riley, Corley, Collins, Clary, Hosey, Clyburn,

THURSDAY, MAY 12, 2016

King, Hicks, Knight, Bradley, Jefferson, Kirby, Huggins, Duckworth, Kennedy, Hamilton, Hardee, Johnson, Murphy, Felder, Alexander, Atwater, Ballentine, Bedingfield, Bowers, Cobb-Hunter, Daning, Delleney, Dillard, Forrester, Funderburk, Gagnon, Gambrell, Hiott, Howard, Lowe, W.J. McLeod, V.S. Moss, Nanney, Norman, Ott, Pitts, Pope, Ridgeway, Ryhal, G.R. Smith, Tallon, Thayer, Toole, Weeks, Wells, White, Willis, Chumley and Rivers: A BILL TO AMEND SECTION 23-31-215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO PROVIDE THAT SOUTH CAROLINA SHALL RECOGNIZE CONCEALED WEAPON PERMITS ISSUED BY GEORGIA AND NORTH CAROLINA UNDER CERTAIN CIRCUMSTANCES.

Senator LARRY MARTIN moved that the Bill be set for Special Order.

Senator KIMPSON spoke against the motion.

Senator LARRY MARTIN spoke in favor of the motion.

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

Ayes 36; Nays 5

AYES

Alexander	Allen	Bennett
Bright	Bryant	Campbell
Campsen	Cleary	Coleman
Corbin	Courson	Cromer
Davis	Fair	Gregory
Grooms	Hayes	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	McElveen
Peeler	Rankin	Reese
Setzler	Shealy	Turner
Verdin	Williams	Young

Total--36

NAYS

[SJ]

48

THURSDAY, MAY 12, 2016

Kimpson
Sabb

Matthews, Margie
Scott

Nicholson

Total--5

Having received the necessary vote, the Bill was set for Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 1:15 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

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

OBJECTION

S. 277 -- Senators Alexander, Rankin and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "STATE TELECOM EQUITY IN FUNDING ACT" BY ADDING SECTION 58-9-2515 SO AS TO CLARIFY THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER CERTAIN PROVIDERS REGARDING TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE; BY ADDING SECTION 58-9-2535 SO AS TO PROVIDE FOR THE MANNER OF ASSESSING AND COLLECTING DUAL PARTY RELAY CHARGES BY LOCAL EXCHANGE PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND VOICE OVER INTERNET PROTOCOL SERVICE PROVIDERS, AMONG OTHER THINGS; TO AMEND SECTION 58-9-10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF TELEPHONE SERVICE, SO AS TO REVISE THE DEFINITIONS OF "BASIC LOCAL EXCHANGE TELEPHONE SERVICE" AND "CARRIER OF LAST RESORT"; TO AMEND SECTION 58-9-280, AS AMENDED, RELATING TO THE UNIVERSAL SERVICE FUND FOR CARRIERS OF LAST RESORT, SO AS TO PROVIDE FOR THE

[SJ]

THURSDAY, MAY 12, 2016

TRANSITION OF THE INTERIM LOCAL EXCHANGE CARRIER FUND INTO THE UNIVERSAL SERVICE FUND, TO LIMIT THE SIZE OF THE UNIVERSAL SERVICE FUND, AND TO REQUIRE VOICE OVER INTERNET PROTOCOL PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND PREPAID WIRELESS SERVICE PROVIDERS TO CONTRIBUTE TO THE UNIVERSAL SERVICE FUND; TO AMEND SECTION 58-9-576, AS AMENDED, RELATING TO CERTAIN STAND-ALONE BASIC RESIDENTIAL LINE RATES, SO AS TO PROVIDE FOR THE TERMINATION OF THE RATES FIVE YEARS AFTER THEY BECOME EFFECTIVE; TO AMEND SECTION 58-9-2510, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE, SO AS TO REVISE THESE DEFINITIONS AND PROVIDE ADDITIONAL NECESSARY DEFINITIONS; TO AMEND SECTION 58-9-2530, AS AMENDED, RELATING TO THE OPERATING FUND FOR A SYSTEM OF DUAL PARTY RELAY DEVICES AND RELATED TELECOMMUNICATIONS DEVICES, SO AS TO IMPOSE CERTAIN UNIFORM-RELATED SURCHARGES ON LOCAL EXCHANGE PROVIDERS; AND TO REPEAL SECTION 58-9-2540 RELATING TO AN ADVISORY COMMITTEE CONCERNING STATEWIDE TELECOMMUNICATIONS RELAY ACCESS SERVICE.

Senator RANKIN asked unanimous consent to take up the Bill for immediate consideration.

Senator SHANE MARTIN objected.

Motion Adopted

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

THURSDAY, MAY 12, 2016

MOTION ADOPTED

On motion of Senator HAYES, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable John Buford Grier of Rock Hill, S.C. John received a law degree from the University of South Carolina in 1963 and then served in the U. S. Army with the Judge Advocate General's Corps until 1967. John practiced law in Rock Hill and was York County's first Master-in-Equity in 1991. He enjoyed scuba diving, traveling and spending time with his grandchildren. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:25 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.

* * *

THURSDAY, MAY 12, 2016

SENATE JOURNAL INDEX

S. 277.....	49	H. 3927.....	12
S. 923.....	12	H. 4090.....	39
S. 936.....	23	H. 4138.....	16
S. 1052.....	44	H. 4262.....	44
S. 1115.....	38	H. 4413.....	45
S. 1162.....	43	H. 4492.....	45
S. 1169.....	39	H. 4546.....	46
S. 1204.....	6	H. 4547.....	43
S. 1212.....	13	H. 4678.....	47
S. 1243.....	13	H. 4705.....	10
S. 1257.....	29	H. 4743.....	9
S. 1283.....	47	H. 4774.....	7
S. 1296.....	13	H. 4786.....	10
S. 1297.....	13	H. 4817.....	37
S. 1301.....	5	H. 4851.....	4
S. 1302.....	5	H. 4931.....	32
		H. 4932.....	25
H. 3151.....	6	H. 4936.....	12
H. 3193.....	11	H. 4937.....	39
H. 3313.....	30	H. 4938.....	39
H. 3343.....	9	H. 4939.....	17
H. 3560.....	34	H. 4940.....	9
H. 3653.....	19	H. 4941.....	42
H. 3682.....	38	H. 4999.....	27
H. 3685.....	11	H. 5009.....	10
H. 3710.....	14	H. 5011.....	4
H. 3799.....	47	H. 5024.....	7
H. 3848.....	11	H. 5066.....	9
H. 3891.....	36	H. 5218.....	10