

NO. 73

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2016

TUESDAY, MAY 17, 2016

Tuesday, May 17, 2016
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

We perhaps recall Job asking:

“What strength do I have, that I should still hope? What prospects, that I should be patient?” (Job 6:11)

Please, unite your heart with mine as we pray:

Eternally loving God, people all around the world continue to cry out for some clear measure of hope, many of them doing so in circumstances that most all of us in this Senate Chamber cannot even begin to imagine. That experience of hopelessness is felt by many women, men, and children right here in South Carolina, as well. So we pray today, dear Lord, that You will fill the heart of each of these Senators with genuine concern for people everywhere. May these leaders always seek to do whatever they can to alleviate hopelessness, misery and suffering. In Your loving name do we pray this, O Lord. Amen.

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

Point of Quorum

At 12:08 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Bright
Bryant	Campbell	Campsen
Corbin	Cromer	Davis
Gregory	Grooms	Kimpson
Leatherman	Malloy	<i>Martin, Larry</i>
<i>Martin, Shane</i>	Massey	Nicholson
Peeler	Scott	Setzler

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Shealy
Turner

Sheheen
Verdin

Thurmond
Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Governing Board of Department of Natural Resources, with term coterminous with Governor

Chairman:

Cary L. Chastain, 180 Mary Ellen Dr., Charleston, SC 29403 *VICE*
David Glenn McFadden

Referred to the Committee on Fish, Game and Forestry.

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

6th Congressional District:

Cary L. Chastain, 180 Mary Ellen Drive, Charleston, SC 29403

Referred to the Committee on Fish, Game and Forestry.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2016, and to expire June 30, 2020

7th Congressional District:

Michelle Law-Gordon, 801 Ashley Ct., Florence, SC 29505 *VICE*
Vacant due to redistricting

Referred to the Committee on Judiciary.

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COMMUNICATION

**STATE OF SOUTH CAROLINA
OFFICE OF THE GOVERNOR**

Columbia, S.C., May 16, 2016

Mr. President and Senators:

I am vetoing and returning without my approval R.178, S.1016:

(R178, S1016) -- Senators Cleary, Jackson, J. Matthews, Campbell, Davis, Scott, Turner, Rankin, Alexander and McElveen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EYE CARE CONSUMER PROTECTION LAW" BY ADDING CHAPTER 24 TO TITLE 40 SO AS TO ESTABLISH CERTAIN REQUIREMENTS TO DISPENSE SPECTACLES OR CONTACT LENSES.

Respectfully submitted,
Nikki R. Haley

Received as Information

The veto was ordered placed on the Calendar for consideration tomorrow.

REGULATIONS WITHDRAWN

The following were received:

Document No. 4628

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

Chapter: 106

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

SUBJECT: Classification of Residential Specialty Contractors

Received by Lieutenant Governor January 14, 2016

Referred to Committee on Labor, Commerce and Industry

Permanently Withdrawn May 12, 2016

Document No. 4629

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

Chapter: 106

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

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SUBJECT: Residential Specialty Contractors License
Received by Lieutenant Governor January 14, 2016
Referred to Committee on Labor, Commerce and Industry
Permanently Withdrawn May 12, 2016

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4610
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Section 44-7-260
SUBJECT: Emergency Medical Services
Received by Lieutenant Governor January 21, 2016
Referred to Committee on Medical Affairs
Withdrawn and Resubmitted May 13, 2016

Doctor of the Day

Senator CLEARY introduced Dr. Gerald Harmon of Georgetown, S.C., Doctor of the Day.

Leave of Absence

At 12:11 P.M., Senator CROMER requested a leave of absence for Senator HAYES until 1:15 P.M.

Leave of Absence

At 1:26 P.M., Senator JOHNSON requested a leave of absence for Senator ALLEN for the day.

Leave of Absence

At 1:26 P.M., Senator SETZLER requested a leave of absence for Senator HUTTO until 3:00 P.M.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

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CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 1204 Sen. Bennett

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed that when the Senate adjourns May 24, it stand adjourned to meet at 11:00 A.M. on May 25.

RECALLED

S. 1309 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 76 FROM ITS INTERSECTION WITH S. CANAL ROAD TO ITS INTERSECTION WITH MAIN STREET IN MARION, SOUTH CAROLINA "BISHOP R.F. DAVIS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

Senator WILLIAMS 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1303 -- Senator L. Martin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MR. MARION DONNAN LAWSON FOR HIS YEARS OF DEDICATED SERVICE AS PRINCIPAL OF PICKENS HIGH SCHOOL AND TO WISH HIM MUCH SUCCESS AND HAPPINESS AS HE EMBARKS ON A NEW POSITION AS ASSISTANT SUPERINTENDENT FOR THE PICKENS COUNTY SCHOOL DISTRICT.

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

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S. 1304 -- Senator Bright: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MR. HAL "ONDRA" BLACK ON THE OCCASION OF HIS RETIREMENT FROM THE MINISTRY AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

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The Senate Resolution was adopted.

S. 1305 -- Senator Bennett: A SENATE RESOLUTION TO APPLAUD THE PINWOOD PREPARATORY SCHOOL COMPETITIVE CHEERLEADING TEAM ON CAPTURING THE 2015 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA SMALL DIVISION STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE TEAM AND ITS COACHES ON A SUPERLATIVE SEASON.

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The Senate Resolution was adopted.

S. 1306 -- Senators Grooms and Campbell: A BILL TO PROVIDE FOR THE DESIGNATION OF RESTROOMS, LOCKER ROOMS, SHOWER ROOMS, AND OTHER FACILITIES WHERE STUDENTS MAY BE IN A STATE OF UNDRESS IN THE PRESENCE OF OTHER STUDENTS IN THE BERKELEY COUNTY SCHOOL DISTRICT AS BEING FOR THE USE OF MALE STUDENTS OR FEMALE STUDENTS; TO PROHIBIT A PERSON OF ONE SEX FROM USING A RESTROOM, LOCKER ROOM, SHOWER ROOM, OR OTHER FACILITY DESIGNATED FOR USE BY THE OPPOSITE SEX, TO PROVIDE FOR ALTERNATE REST ROOMS, LOCKER ROOMS, SHOWER ROOMS, OR OTHER FACILITIES WHERE STUDENTS MAY BE IN A STATE OF UNDRESS IN THE PRESENCE OF OTHER STUDENTS UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT APPLY DURING THE 2016-2017 SCHOOL YEAR.

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

S. 1307 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION

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NAME THE PORTION OF U.S. HIGHWAY 76 FROM THE TIMMONSVILLE CITY LIMIT TO ITS INTERSECTION WITH INTERSTATE 95 THE "REVEREND DR. HENRY B. PEOPLES HIGHWAY" AND ERECT APPROPRIATE MARKERS AND SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

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

S. 1308 -- Senator Alexander: A CONCURRENT RESOLUTION TO PROCLAIM THE MONTH OF SEPTEMBER 2016 AS "HUNGER ACTION MONTH" IN THE STATE OF SOUTH CAROLINA AND TO RECOGNIZE THE OUTSTANDING WORK OF THE SOUTH CAROLINA FOOD BANK ASSOCIATION.

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The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1309 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 76 FROM ITS INTERSECTION WITH S. CANAL ROAD TO ITS INTERSECTION WITH MAIN STREET IN MARION, SOUTH CAROLINA, "BISHOP R.F. DAVIS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

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

S. 1310 -- Senators Malloy and McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF GREEN LANE AND SOUTH CAROLINA HIGHWAY 15 IN LEE COUNTY "ARTHUR BROWN CROSSROADS" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

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

S. 1311 -- Senators L. Martin, Campsen and Malloy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 25, 2016, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, CHIEF JUSTICE, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JULY 31, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 2, WHOSE TERM EXPIRES JULY 31, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, CHIEF JUDGE, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2016; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 1, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 3, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 5, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; AND TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 7, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020.

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

S. 1312 -- Senator Lourie: A SENATE RESOLUTION TO CONGRATULATE THE A.C. FLORA HIGH SCHOOL BOYS BASKETBALL TEAM FOR CAPTURING THE 2016 CLASS AAA

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STATE CHAMPIONSHIP TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

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The Senate Resolution was adopted.

S. 1313 -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SHERIFF STEVE MUELLER OF CHEROKEE COUNTY FOR HIS DISTINGUISHED AND SELFLESS SERVICE IN PROTECTING THE CITIZENS OF OUR STATE AND TO CONGRATULATE HIM FOR BEING NAMED THE 2016 SHERIFF OF THE YEAR.

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

S. 1314 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, J. Matthews, M.B. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. STEVE A. WILSON, SUPERINTENDENT OF THE CALHOUN COUNTY PUBLIC SCHOOLS, FOR HIS OUTSTANDING CONTRIBUTIONS TO THE PUBLIC SCHOOLS OF SOUTH CAROLINA AND TO CONGRATULATE HIM ON BEING NAMED 2017 SOUTH CAROLINA SUPERINTENDENT OF THE YEAR.

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

S. 1315 -- Senator Sheheen: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER PRESIDENT WASHINGTON'S SOJOURN TO OUR HALLOWED GROUND AND THE SACRIFICES OF OUR PATRIOT FOREBEARS IN WELL OVER TWO HUNDRED BATTLES AND SKIRMISHES FOUGHT IN OUR STATE AND HIS RECOGNITION OF THE IMPORTANCE OF THE SOUTHERN THEATRE IN THE VICTORY THAT CULMINATED AT YORKTOWN, VIRGINIA.

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

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S. 1316 -- Senators Scott, Sabb, Malloy, Williams, J. Matthews, Setzler, Cleary, Shealy, Coleman, Hembree, Turner, Sheheen, Courson, Hayes, Campbell, Bright, Young, Nicholson, Verdin, McElveen, Cromer, Lourie, Alexander, Leatherman, Reese, Davis, L. Martin, Bryant, Jackson and Rankin: A JOINT RESOLUTION TO DIRECT THE STATE HOUSE COMMITTEE TO COMMISSION A PORTRAIT OF THE LATE ELIZABETH EVELYN WRIGHT MENAFEE, A NOTED HUMANITARIAN, EDUCATOR, AND FOUNDER OF VOORHEES COLLEGE TO BE PLACED IN AN APPROPRIATE PLACE IN THE STATE HOUSE.

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

REPORTS OF STANDING COMMITTEES

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

H. 5023 -- Reps. Sottile and Sandifer: A BILL TO AMEND SECTION 40-60-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO DELETE AND REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40-60-30, RELATING TO ACTIVITIES REQUIRING LICENSURE AS A REAL ESTATE APPRAISER, SO AS TO REVISE EXCEPTIONS; TO AMEND SECTION 40-60-34, AS AMENDED, RELATING TO MISCELLANEOUS REQUIREMENTS FOR LICENSES, CERTIFICATIONS, AND PERMITS ISSUED BY THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, SO AS TO REVISE REQUIREMENTS CONCERNING EXPIRED AND REVOKED LICENSES, CERTIFICATIONS, AND PERMITS; TO AMEND SECTION 40-60-50, RELATING TO FEES, SO AS TO DELETE THE REQUIREMENT THAT CERTAIN FEES BE PAID BY CERTIFIED FUNDS; TO AMEND SECTION 40-60-80, AS AMENDED, RELATING TO INVESTIGATIONS OF COMPLAINTS AND VIOLATIONS, SO AS TO DELETE THE SIX-MONTH LIMIT ON STAYS AND SUPERSEDEAS OF CERTAIN BOARD ORDERS PENDING APPEAL, AND TO PROVIDE PARTIES AGGRIEVED BY FINAL DECISIONS OF THE BOARD MAY APPEAL PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT;

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AND TO AMEND SECTION 40-60-120, RELATING TO THE EFFECTIVE TIME OF CERTAIN ORDERS OF THE BOARD, SO AS TO DELETE A PROVISION STATING PETITIONS FOR REVIEW DO NOT OPERATE AS SUPERSEDEAS OR STAYS.

Ordered for consideration tomorrow.

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

H. 4447 -- Reps. Henegan and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

Ordered for consideration tomorrow.

Senator HAYES from the Committee on Banking and Insurance submitted a favorable report on:

H. 5040 -- Reps. Mack and Sandifer: A BILL TO AMEND SECTION 37-1-201, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERRITORIAL APPLICATION OF THE CONSUMER PROTECTION CODE, SO AS TO EXPAND HOW A CREDITOR MAY INDUCE A CONSUMER TO ENTER INTO A TRANSACTION; TO AMEND SECTION 37-1-203, RELATING TO JURISDICTION AND SERVICE OF PROCESS, SO AS TO REPLACE THE TERM "CREDITOR" WITH THE TERM "PERSON"; TO AMEND SECTION 37-1-302, RELATING TO THE DEFINITION OF THE "FEDERAL CONSUMER CREDIT PROTECTION ACT", SO AS TO REMOVE THE REFERENCE TO THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM; TO AMEND SECTION 37-2-102, RELATING TO THE SCOPE OF CHAPTER 2 OF THE CONSUMER PROTECTION CODE, SO AS TO APPLY CERTAIN PROVISIONS TO THE SALE OF MOTOR VEHICLES; TO AMEND SECTION 37-2-305, RELATING TO FILING AND POSTING THE MAXIMUM RATE SCHEDULE, SO AS TO REMOVE THE PROVISION REQUIRING THE DEPARTMENT OF CONSUMER AFFAIRS TO MAINTAIN A FILE FOR EACH CREDITOR'S ORIGINAL AND ALL REVISED MAXIMUM RATE SCHEDULES, AMONG OTHER THINGS; TO

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AMEND SECTION 37-3-305, RELATING TO FILING AND POSTING A MAXIMUM RATE SCHEDULE, SO AS TO REMOVE THE PROVISION REQUIRING THE DEPARTMENT OF CONSUMER AFFAIRS TO MAINTAIN A FILE FOR EACH CREDITOR'S ORIGINAL AND ALL REVISED MAXIMUM RATE SCHEDULES, AMONG OTHER THINGS; TO AMEND SECTION 37-5-102, RELATING TO THE SCOPE OF CHAPTER 5 OF THE CONSUMER PROTECTION CODE, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO OTHER TRANSACTIONS GOVERNED BY TITLE 37; TO AMEND SECTION 37-6-102, RELATING TO THE APPLICABILITY OF CHAPTER 6, TITLE 37, SO AS TO APPLY THE PROVISIONS OF THE CHAPTER TO A PERSON WHO IS SUBJECT TO TITLE 37 OR AN ACTION OF THE ADMINISTRATOR; TO AMEND SECTION 37-6-107, RELATING TO THE APPLICATION OF CHAPTER 6 TO ADMINISTRATIVE PROCEDURE AND JUDICIAL REVIEW, SO AS TO REMOVE THE REFERENCE TO PART FOUR OF CHAPTER 6 AND INSERT THAT THE ADMINISTRATIVE PROCEDURES ACT APPLIES TO AND GOVERNS ALL ADMINISTRATIVE ACTIONS TAKEN PURSUANT TO THE CHAPTER; TO AMEND SECTION 37-6-108, RELATING TO ADMINISTRATIVE ENFORCEMENT ORDERS, SO AS TO REMOVE LANGUAGE REQUIRING AN ADMINISTRATOR TO BRING AN ACTION BEFORE THE ADMINISTRATIVE LAW COURT; TO AMEND SECTION 37-6-110, RELATING TO INJUNCTIONS AGAINST VIOLATIONS OF THE CONSUMER PROTECTION CODE, SO AS TO REPLACE THE TERM "CREDITOR" WITH THE TERM "PERSON"; TO AMEND SECTION 37-6-113, RELATING TO CIVIL ACTIONS BY THE ADMINISTRATOR, SO AS TO REPLACE THE TERM "CREDITOR" WITH THE TERM "RESPONDENT"; TO AMEND SECTION 37-6-115, RELATING TO REMEDIES AVAILABLE UNDER THE CONSUMER PROTECTION CODE, SO AS TO REPLACE THE TERM "DEBTORS" WITH THE TERM "CONSUMERS"; AND TO AMEND SECTION 37-6-118, RELATING TO INVESTIGATION OF UNFAIR TRADE PRACTICES IN CONSUMER TRANSACTIONS, SO AS TO UPDATE THE PROCEDURES AVAILABLE TO A PERSON AGGRIEVED BY AN ORDER OF THE ADMINISTRATOR.

Ordered for consideration tomorrow.

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

H. 5140 -- Reps. Pope, Felder, King, Gambrell, Gagnon, Erickson, Clary, Tallon and Henderson: A BILL TO AMEND SECTION 59-1-425, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPENING DATE FOR THE PUBLIC SCHOOL YEAR, SO AS TO PROVIDE THE OPENING DATE FOR STUDENTS MUST NOT BE BEFORE AUGUST FIFTEENTH BEGINNING WITH THE 2017-2018 SCHOOL YEAR; TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO CERTAIN ASSESSMENTS OF VARIOUS PUBLIC SCHOOL STUDENTS BASED ON GRADE LEVEL, SO AS TO REVISE THE MANNER OF PROCUREMENT AND ADMINISTRATION OF THESE ASSESSMENTS, AMONG OTHER THINGS; AND TO AMEND SECTION 59-25-410, RELATING TO THE DATE BY WHICH PUBLIC SCHOOL TEACHERS MUST BE NOTIFIED OF THEIR TENTATIVE ASSIGNMENTS FOR THE UPCOMING SCHOOL YEAR, SO AS TO CHANGE THIS DATE FROM AUGUST FIFTEENTH TO AUGUST EIGHTH.

Ordered for consideration tomorrow.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bills 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. 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

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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; 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.

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

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HOLDER PURPORTS TO HAVE THE CAPACITY TO PERFORM,
AND ALSO ON PROPOSALS AND INVOICES.

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 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.

HOUSE BILLS RETURNED

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

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, 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

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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.

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 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,

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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.

**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. 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.

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

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

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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.

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

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.

The Senate proceeded to a consideration of the Joint Resolution.

The Committee on Education proposed the following amendment (NL\4938C002.NL.SD16), which was adopted:

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

/ SECTION 1. The State Department of Education and the Center for Educator Recruitment, Retention and Advancement (CERRA), working in collaboration with the Commission on Higher Education, shall survey students enrolled in the state's colleges of education. This survey shall be administered to those college students who have been fully admitted into their institution's teacher education program. At a minimum, the survey shall include questions inquiring as to whether students have ever considered teaching in a rural and economically challenged district. Students must be asked what incentives, if any, would cause them to move to, and work in, such a district. The State Department of Education and CERRA may include additional questions in the survey as considered useful. Results of the survey must be reported to the General Assembly by December 1, 2016. /

Re-number sections to conform.

Amend title to conform.

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The amendment was adopted.

Senators SETZLER and HAYES proposed the following amendment (NL\4938C004.NL.SD16), which was adopted:

Amend the joint resolution, as and if amended, SECTION 1, by adding a new paragraph at the end to read:

/ “Additionally, the Department of Education, CERRA, and the Commission on Higher Education together shall explore a practical and effective means of obtaining similar survey information from students in other programs at the state’s institutions of higher learning as a means of planning and promoting teaching career information and employment options and in accordance with the general intentions of Section 13-1-1840 of the 1976 Code. A report summarizing the recommendations for this survey must be submitted to the General Assembly by February 1, 2017, to include whether the focus should be on students in the state’s two-year as well as four-year institutions, and whether improvements facilitating transfer and articulation into teacher education programs could enhance recruitment into the teaching profession.” /

Re-number sections to conform.

Amend title to conform.

The amendment was adopted.

The question then was second reading of the Joint Resolution.

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

Ayes 38; Nays 1

AYES

Alexander	Bennett	Bright
Campbell	Cleary	Corbin
Courson	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Hembree	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	Sabb	Scott

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Setzler	Shealy	Sheheen
Thurmond	Turner	Verdin
Williams	Young	

Total--38

NAYS

Bryant

Total--1

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

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".

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD4413.002), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 28-37 and inserting:

/ (3) the infant is not more than ~~thirty~~ sixty days old or the infant is reasonably determined by the hospital or hospital outpatient facility to be not more than ~~thirty~~ sixty days old.

This subsection does not apply to prosecution for the infliction of any harm upon the infant other than the harm inherent in abandonment.

(J) For purposes of this section:

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(1) 'infant' means a person not more than ~~thirty~~ sixty days old; and /
Renumber sections to conform.
Amend title to conform.

Senator MASSEY explained the Bill.

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 43; Nays 0

AYES

Alexander	Bennett	Bright
Bryant	Campbell	Campsen
Cleary	Coleman	Corbin
Courson	Cromer	Davis
Fair	Gregory	Grooms
Hayes	Hembree	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	Thurmond
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

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**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 1204 -- Senators Sheheen and Bennett: 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.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (BBM\1204C001.BBM.AB16), which was adopted:

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

/ SECTION 1. Section 59-29-80(A) of the 1976 Code is amended to read:

“(A) There ~~shall be~~ is established and provided in all the public schools of this State physical education, training, and instruction of pupils of both sexes ~~and~~. Every pupil attending ~~any~~ public school, in so far as he is physically fit and able to do so, shall take the course or courses provided by this section. Suitable modified courses ~~shall~~ must be provided for students physically or mentally unable or unfit to take the course or courses prescribed for normal pupils. However, in ~~any~~ public school ~~which~~ that offers a military or naval ROTC program sponsored by one of the military services of the United States, training in such a program may be ~~deemed~~ considered to be the equivalent to of physical education instruction, and may be accepted in lieu of such instruction for all purposes, academic or nonacademic, as may hereinafter be provided. Additionally, in a public school that offers instruction in marching band based on the South Carolina Academic Standards for the Visual and Performing Arts, and which incorporates the South Carolina Academic Standards for Physical Education, this instruction may be considered to be the equivalent of physical education instruction, and may be accepted in lieu of physical education instruction for all purposes.”

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

Renumber sections to conform.

Amend title to conform.

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Senator SHEHEEN explained the Bill.

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 42; Nays 0

AYES

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

Total--42

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. 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

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THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 39; Nays 0

AYES

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

Total--39

NAYS

Total--0

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

READ THE SECOND TIME

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

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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.

The Senate proceeded to a consideration of the Joint Resolution.

The question being the second reading of the Joint Resolution.

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

Ayes 41; Nays 0

AYES

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

Total--41

NAYS

Total--0

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

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**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, the board shall pay the cost of the reporter's attendance and services at~~

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~~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 an 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 the board shall issue its decision affirming or withdrawing the notice of

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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.~~" /

Renummer sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator THURMOND spoke on the amendment.

On motion of Senator M.B. MATTHEWS, the Bill was carried over.

CARRIED OVER

H. 4939 -- Education and Public Works Committee: A BILL TO ESTABLISH A COMMITTEE COMPOSED OF SPECIFIED

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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 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.

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

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

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TASK FORCE AGREEMENTS WITH OTHER LAW ENFORCEMENT PROVIDERS FOR ANY LENGTH OF TIME, TO 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.

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

H. 3722--Reps. Lucas, Bingham, Pope, McEachern, Ballentine, Simrill, Funderburk, G.M. Smith, W.J. McLeod, Yow, Knight, Johnson, Clyburn, Duckworth, Clemmons, Stavrinakis, Norrell, M.S. McLeod, Quinn, Southard, Corley, Alexander, Allison, Anderson, Anthony, Bales, Bamberg, Bannister, Bedingfield, Bernstein, Bowers, Bradley, G.A. Brown, R.L. Brown, Burns, Chumley, Clary, Cole, Collins, Crosby, Daning, Dellaney, Dillard, Douglas, Erickson, Felder, Finlay, Forrester, Gagnon, Gambrell, George, Gilliard, Goldfinch, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Kirby, Limehouse, Loftis, Long, Lowe, Mack, McKnight, Merrill, Mitchell, D.C. Moss, Murphy, Nanney, Neal, Newton, Norman, Ott, Parks, Pitts, Putnam, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Sandifer, G.R. Smith, J.E. Smith, Sottile, Spires, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Williams, Willis, Govan, Whitmire, H.A. Crawford and Brannon: A BILL TO AMEND VARIOUS SECTIONS OF TITLE 8, CHAPTER 13, RELATING TO ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM;

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TO AMEND VARIOUS SECTIONS OF TITLE 8, CHAPTER 27, RELATING TO EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW OR REGULATION; AND TO REPEAL SECTIONS 8-13-705, 8-13-720, 8-13-725, 8-13-750, 8-13-755, AND 8-13-760 ALL RELATING TO ETHICS RULES OF CONDUCT. (Abbreviated Title)

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

H. 3682 -- Reps. 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.

Senator MASSEY explained the Bill.

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.

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

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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.

On motion of Senator MALLOY, the Bill was 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 DURING NORMAL BUSINESS HOURS, AND TO REQUIRE THE BONDSMAN TO PROVIDE CERTAIN CONTACT INFORMATION.

Senator CROMER explained the Bill.

On motion of Senator CROMER, the Bill 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 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 AT TO PROVIDE A PERSON AGGRIEVED BY THE FINAL ADMINISTRATIVE ORDER OF THE DEPARTMENT OF

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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 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

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

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

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

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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 GROOMS, 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.

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

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CIRCUMSTANCES AND TO PROVIDE FOR THEIR RETENTION AND USE.

Senator MASSEY explained the Bill.

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

H. 4262 -- Reps. 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.

On motion of Senator SHANE MARTIN, the Bill was carried over.

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

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FOSTER CARE REVIEW BOARD TO ADVISE FOSTER PARENTS ABOUT THE RIGHT TO SUBMIT A REPORT TO AND BE HEARD BY THE COURT AT A HEARING CONCERNING THE CHILD.

Senator MASSEY explained the Bill.

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

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 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

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INTRODUCE, EXAMINE, AND CROSS-EXAMINE WITNESSES;
AND FOR OTHER PURPOSES.

Senator MASSEY explained the Bill.

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

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.

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

ADOPTED

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

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

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

MOTION ADOPTED

At 1:55 P.M., on motion of Senator CROMER, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

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

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

S. 454 -- Senators Campsen and Turner: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, TO PROVIDE THAT A PERSON MUST HAVE IMMEDIATE ACCESS AND AUTHORIZATION TO UTILIZE DEER QUOTA TAGS TO HUNT ON PROPERTY WITH A DEER QUOTA PROGRAM PERMIT, TO PROVIDE FOR THE DEER QUOTA PROGRAM AND

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REQUIREMENTS FOR APPLICATION THERETO, TO PROVIDE THAT A PERSON MUST POSSESS A SET OF INDIVIDUAL DEER TAGS FROM THE DEPARTMENT TO HUNT ON PROPERTY WITHOUT A DEER QUOTA PROGRAM PERMIT, TO SET THE DEER TAG FEES FOR IN AND OUT-OF-STATE RESIDENTS; TO AMEND SECTION 50-9-920(B)(6) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO SUBSTITUTE DEER QUOTA PROGRAM PERMIT FOR ANTLERLESS DEER QUOTA PERMIT; TO AMEND SECTION 50-9-920(B)(7) OF THE 1976 CODE, TO REMOVE "ANTLERLESS" AND SUBSTITUTE "INDIVIDUAL"; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE FOR THE BAG LIMITS FOR ANTLERED AND ANTLERLESS DEER, AND THE LIMIT FOR DEER ON PROPERTY ENROLLED IN THE DEER QUOTA PROGRAM, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO TAKE MORE THAN THE LEGAL LIMIT OF DEER, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THE SECTION; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE DEER TAGS AND TO PROVIDE FOR THE CIRCUMSTANCES SURROUNDING THE VALIDITY OF SUCH TAGS, TO PROVIDE THAT ALL DEER TAKEN MUST BE TAGGED, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO POSSESS, MOVE, OR TRANSPORT AN UNTAGGED DEER, TO POSSESS MORE THAN ONE SET OF DEER TAGS OR TAGS ISSUED IN ANOTHER'S NAME, AND TO ALTER A DEER TAG FOR FRAUDULENT OR UNLAWFUL PURPOSES, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 50-11-390 OF THE 1976 CODE, RELATING TO DEPARTMENTAL AUTHORITY OVER GAME ZONES, TO AUTHORIZE THE DEPARTMENT TO PROMULGATE NECESSARY REGULATIONS RELATED TO THE TAKING OF DEER; AND TO REPEAL SECTION 50-11-335 OF THE 1976 CODE.

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

S. 950 -- Senators Grooms and Thurmond: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT

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THE JUNCTION OF SOUTH CAROLINA HIGHWAY 162 AND SOUTH CAROLINA HIGHWAY 165 IN CHARLESTON COUNTY "CHARLESTON COUNTY POLICEMAN STEVEN BUIST HIOTT, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "CHARLESTON COUNTY POLICEMAN STEVEN BUIST HIOTT, JR. MEMORIAL HIGHWAY".

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

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 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

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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.

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

S. 338 -- Senators S. Martin and Bryant: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS REGARDING PRISONERS, BY ADDING SECTION 24-13-180 TO PROVIDE THAT ANY PUBLIC, PRIVATE, OR NONPROFIT ENTITY WHICH IS ENGAGED IN HELPING TO REHABILITATE AND REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF ITS PROGRAM PROVIDES RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITY OF THE ADDRESSES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT A PUBLIC HEARING REGARDING THE PROGRAM AND THE LOCATION OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITY WHERE THEY WILL BE LOCATED.

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

S. 788 -- Senator Campsen: A BILL TO AMEND SECTION 48-39-150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPROVAL OF PERMITS TO ALTER CRITICAL AREAS, SO AS TO ENACT THE "MANAGED TIDAL IMPOUNDMENT PRESERVATION ACT", BY EXEMPTING PROPERTY THAT IS DEEMED ELIGIBLE UNDER A

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UNITED STATES ARMY CORP OF ENGINEERS' GENERAL PERMIT FROM PERMITTING REQUIREMENTS IN CERTAIN CIRCUMSTANCES AND GRANTING ENFORCEMENT AUTHORITY TO THE COASTAL DIVISION OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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

S. 916 -- Senators Malloy, Fair and M.B. Matthews: A BILL TO AMEND SECTION 63-19-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JUVENILE JUSTICE CODE DEFINITIONS, SO AS TO PROVIDE THAT A "CHILD" OR "JUVENILE" MEANS A PERSON LESS THAN EIGHTEEN YEARS OF AGE, DOES NOT MEAN A PERSON SEVENTEEN YEARS OF AGE OR OLDER WHO IS CHARGED WITH A VIOLENT CRIME, AND THAT A PERSON SIXTEEN YEARS OF AGE WHO IS CHARGED WITH A CLASS A, B, C, OR D FELONY OR A FELONY WHICH PROVIDES FOR A MAXIMUM TERM OF IMPRISONMENT OF FIFTEEN YEARS OR MORE MUST BE PROVIDED THE RIGHT TO HAVE THE CASE REMANDED TO FAMILY COURT; AND TO AMEND SECTION 63-19-1210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OVER A CASE INVOLVING A CHILD, SO AS TO PROVIDE THAT IF A CHILD WAS UNDER THE AGE OF EIGHTEEN YEARS AT THE TIME OF COMMITTING AN ALLEGED OFFENSE, THE CIRCUIT COURT SHALL TRANSFER THE CASE TO FAMILY COURT, THAT IF A CHILD BELOW EIGHTEEN YEARS OF AGE IS CHARGED WITH AN OFFENSE WHICH, IF COMMITTED BY AN ADULT, WOULD BE A VIOLENT CRIME, THE COURT MAY RETAIN JURISDICTION, AND THAT IF A CHILD UNDER THE AGE OF EIGHTEEN IS CHARGED WITH CERTAIN OFFENSES, THE COURT MAY BIND OVER THE CHILD TO A COURT WHICH WOULD HAVE TRIAL JURISDICTION OF THE OFFENSES IF COMMITTED BY AN ADULT.

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

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

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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 “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.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE SECOND TIME

H. 4548 -- Reprs. Sandifer, Forrester, Toole, Bales, Chumley, Burns, Hardee, Allison, Tallon, Henderson, Clemmons, Sottile, Crosby, V.S. Moss, Jefferson, Yow, Duckworth, H.A. Crawford, Jordan, Fry, Herbkersman, Lowe, Goldfinch, Hixon, Norman, Hiott, Taylor, McCoy, D.C. Moss, Collins, Rutherford, Anderson, Kirby, Pitts, Corley, Ballentine, Hamilton, Finlay, Huggins, Ott, Govan, Riley, Willis, Thayer, Felder, Hicks, Simrill, G.A. Brown, Bedingfield, Stringer, Ryhal, King, Loftis, Hayes, Mack, Rivers, Ridgeway, Clary, Brannon, Atwater, Daning, Bannister, Anthony, McEachern, Mitchell, Erickson, Weeks, Knight, Cole, George, Horne, G.R. Smith, G.M. Smith, Williams, Limehouse, Pope, Gambrell, Alexander, Stavrinakis, Newton, White, Spires, R.L. Brown, Gilliard, Dillard and Gagnon: A BILL TO AMEND SECTION 37-2-307, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLOSING FEES ASSESSED ON MOTOR VEHICLES SALES CONTRACTS, SO AS TO PROVIDE A MOTOR VEHICLE DEALER WHO MEETS CERTAIN STATUTORY REQUIREMENTS MAY CHARGE A CLOSING FEE, TO ESTABLISH DEFENSES FOR A MOTOR VEHICLE DEALER, AND TO AUTHORIZE THE DEPARTMENT OF CONSUMER AFFAIRS TO ADMINISTER AND ENFORCE MOTOR VEHICLE DEALER CLOSING FEES.

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

[SJ]

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Amendment No. 3

Senators MALLOY, LARRY MARTIN and MASSEY proposed the following amendment (JUD4548.006), which was adopted:

Amend the bill, as and if amended, page 3 by striking line 12 and inserting:

/ materials necessary for records retention and storage costs of such records. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator LARRY MARTIN spoke on the Bill.

The question then was second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

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NAYS

Total--0

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

Motion Adopted

H. 4877 -- Reps. Delleney, Pitts, Lucas, Bannister and Whipper: A BILL TO AMEND SECTION 63-3-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD TWO ADDITIONAL FAMILY COURT JUDGES WHO SHALL BE AT LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.

Having voted on the prevailing side, Senator MALLOY moved to reconsider the vote whereby second reading of H. 4877 failed on May 11, 2016.

The motion was adopted.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 17, 2016, at 2:00 P.M. and the following Acts and Joint Resolution were ratified:

(R184, H. 3343) -- Reps. Huggins, Toole, Long, McCoy, Knight, R.L. Brown, Pope, Collins, Bingham, Stavrinakis, Yow and Erickson: AN ACT 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 REVISE THE ALLOWABLE METHODS OF EUTHANASIA, TO PROVIDE THAT THE USE OF CARBON MONOXIDE GAS AND OTHER DELINEATED SUBSTANCES ARE NOT ALLOWABLE METHODS OF EUTHANASIA, TO PROVIDE THAT THE USE OF SODIUM PENTOBARBITAL AND OTHER SUBSTANCES OR PROCEDURES THAT ARE HUMANE MAY BE USED TO PERFORM EUTHANASIA, AND TO PROVIDE EXCEPTIONS FOR A DANGEROUS DOG OR CAT.

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[SJ]

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(R185, H. 4705) -- Rep. Long: AN ACT 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 NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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(R186, H. 4743) -- Reps. Bedingfield, Dillard, Robinson-Simpson and Henderson: AN ACT 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 NATURE PARK IS DECLARED TO BE A WILDLIFE SANCTUARY.
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(R187, 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.
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(R188, H. 4940) -- Education and Public Works Committee: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1575 SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DEPARTMENT OF EDUCATION THROUGH THE OFFICE OF TRANSFORMATION SHALL PROVIDE TECHNICAL ASSISTANCE TO UNDERPERFORMING SCHOOLS AND SCHOOL DISTRICTS.
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(R189, H. 5009) -- Reps. Cole, Tallon, Hicks, Brannon, Allison, Chumley, Clary, Forrester, Mitchell, King and W.J. McLeod: AN ACT TO AMEND SECTION 12-65-30, CODE OF LAWS OF SOUTH

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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.

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(R190, H. 5066) -- Reps. Herbkersman, Erickson, Bowers, Bradley, Newton and Hodges: AN ACT 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.

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(R191, H. 5218) -- Reps. Gilliard, Anderson, Limehouse, Mack, Hosey, Whipper and R.L. Brown: AN ACT 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 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.

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Motion Adopted

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

MOTION ADOPTED

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Gary Allen Moore, Sr. of Greenwood, S.C. Mr. Moore was a graduate of Greenwood High School and Greenwood College of Commerce. He was the manager of the sporting goods department at Dixie Hardware and retired from Life of Virginia after 25 years of service. He was a faithful member of North Side Baptist Church. Gary was a loving husband, devoted father and doting grandfather who will be dearly missed.

[SJ]

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and

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Dennis Fred Shackelford of Gaffney, S.C. Dennis was a graduate of Gaffney High School and a U.S. Army veteran. He retired from Stephenson Ford and was a member of Grassy Pond Baptist Church. Dennis enjoyed golf, NASCAR and John Wayne movies. He was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:20 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 2:00 P.M.

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