**Wednesday, May 2, 2012**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 2:00 P.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:

In Genesis we read:

“So Joseph went after his brothers and found them near Dothan. But they saw him in the distance... ‘Hear comes that dreamer!’ they said to each other.” (Genesis 37:17b, 19)

Let us pray:

Glorious Lord, we praise You for our human capacity to dream, to imagine what can be, to envision a South Carolina filled with opportunity, accomplishment and progress. Continue, O God, to guide these leaders in order that many of the dreams of our people might become reality. Equally bless all other elected and appointed officials serving here in state government; may they, too, work diligently and faithfully to be dream-makers of the noblest sort. And as always we pray for our women and men in uniform wherever they serve, O God; embrace them in your love and care. All this we pray in your blessed name, dear Lord.

Amen.

**Point of Quorum**

At 2:02 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 moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Fair Grooms Hutto

Knotts Land Leatherman

Leventis *Martin, Larry Martin, Shane*

Massey Nicholson Peeler

Ryberg Scott Setzler

Sheheen Shoopman Thomas

A quorum being present, the Senate resumed.

**Recorded Presence**

Senators DAVIS, O’DELL, ROSE, CLEARY, VERDIN, JACKSON, GREGORY, MALLOY, MATTHEWS, REESE, WILLIAMS, ELLIOTT and RANKIN recorded their presence subsequent to the Call of the Senate.

**Remarks by Senator COURSON**

Will Senators LEATHERMAN, FAIR and SETZLER, the Senators representing the Teacher of the Year finalists’ schools, please join me at the podium? Senator LOURIE’s district has two finalists, but is he not here today.

Last night, nominees for the 2012-2013 South Carolina Teacher of the Year were honored at a celebration at the Columbia Metropolitan Convention Center, where the overall winner out of five finalists was announced. A number of these teachers are with us in the balcony today.

Please join me in congratulating Amy McAllister Skinner, an English teacher in Florence District Five, the South Carolina 2012‑2013 Teacher of the Year.

**Remarks by Senator LEATHERMAN**

Mrs. Skinner has been teaching at Johnsonsville High School in Florence District Five for five years. She teaches all levels of English III, serves as Johnsonville’s yearbook staff advisor, and is also an Adjunct English Professor at Florence-Darlington Technical College’s Lake City Campus. She is a graduate of Lake City High School and Francis Marion University. Her superintendent says she is able to reach students and spark an interest where there once was none. Her principal says, “She’s just got to speak and they listen.”

Please join me in congratulating the remaining four finalists - please stand as your name is called:

**Remarks by Senator FAIR**

1. Taunja Pool is a 5th grade teacher at Summit Drive Elementary in Greenville.

Ms. Pool has 13 years of experience, six in Greenville County, and does all she can to help students make connections in their school work. She has a B.S. from Lander University, an M.A. from Lesley University, a Master’s Plus 30 from Converse College, and is a National Board Certified teacher. Ms. Pool attended 11 schools growing up (including three different sixth grade classes) in 12 years. The frequent moves left gaps in her education, resulting in the need for remedial instruction in reading and math.

Ms. Pool has said “these gaps, or disconnects, in my education are why I became a teacher. I know there are students who have the same feelings of disconnect I had. Each day as a teacher, I do all that I can to fill in the gaps and help those students make the connections.”

**Remarks by Senator SETZLER**

2. Philip Rabon II is a middle level social studies teacher at Pair Education Center (an alternative school) in Lexington Two.

Mr. Rabon says he was inspired to be a teacher by the outstanding teachers he had growing up. He earned a Bachelor’s Degree from The Citadel, and a Master’s from Southern Weslyan University. He is also National Board Certified. His 13 years of teaching middle school social studies have been spent trying to help students understand that they “can control a lot more than they think and have more influence over their future than they think.”

**Remarks by Senator COURSON**

3. Helen Walker is a music teacher at Doby’s Mill Elementary in Kershaw, S.C.

Ms. Walker has been teaching for 18 years. She earned a Bachelor of Education in teaching and the Performing Arts from Wolverhampton University and her Associateship Diploma with the London College of Music in England, her native country. Since arriving in the U.S., she has earned a Master’s Degree in instructional accommodations from Francis Marion University, and her permanent residency. A National Board Certified teacher, she was inspired to go into teaching by her parents, who were her first teachers and inspired in her a love of music, reading, and learning about life.

4. Patricia Swinton is an 11th and 12th grade biology, human anatomy and physiology teacher at A.C. Flora High School in Richland One, who is also the First Lady of Benedict College and her husband is Dr. David Swinton, the President of Benedict College.

Ms. Swinton, a National Board Certified teacher, has spent 18 of her 33 teaching years at Flora, and is certified in all sciences. She has a passion for being a teacher, and wants “each and every one of my children to be successful.”

We are honored to have these distinguished educators with us in the balcony today.

Please join me in recognizing all of these teaching professionals for their outstanding accomplishments and contributions to public education.

As the 2012-2013 Teacher of the Year, Mrs. Skinner will participate in a one-year residency program at CERRA, the Center for Educator Recruitment, Retention and Advancement, housed at Winthrop University, and serve as a statewide ambassador for the teaching profession. She will receive a $25,000 cash award and use of a BMW for a year.

The four finalists, or “honor roll” teachers, will receive $10,000 each and district Teachers of the Year will receive $1,000 each.

On motion of Senator KNOTTS, with unanimous consent, the remarks of Senators COURSON, LEATHERMAN, SETZLER and FAIR, were ordered printed in the Journal.

**Motion Adopted**

On motion of Senator SETZLER, with unanimous consent, Senators RYBERG and SETZLER were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

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

**Doctor of the Day**

Senator THOMAS introduced Dr. John Rutledge of Simpsonville, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator SHEHEEN, at 2:05 P.M., Senator LOURIE was granted a leave of absence for today.

**Leave of Absence**

At 2:15 P.M., Senator MASSEY requested a leave of absence for tomorrow.

**CO-SPONSOR ADDED**

The following co-sponsor was added to the respective Bill:

S. 1135 Sen. Alexander

**RECALLED FROM LEGISLATIVE COUNCIL**

**THIRD READING RECONSIDERED**

H. 4761 -- Reps. Hiott, D.C. Moss, Agnew, Skelton, Frye, Spires, Owens, Atwater, Bowen, Gambrell, Corbin, Hardwick, Whitmire, Branham, Thayer, Crosby, Allison, Southard, J.R. Smith, Daning, Delleney, Harrison, Hayes, Hixon, V.S. Moss, Pitts, Putnam, Taylor, White and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑225 SO AS TO DEFINE THE TERM “FARM TRUCK”; BY ADDING SECTION 56‑5‑363 SO AS TO PROVIDE THAT CERTAIN COMMERCIAL MOTOR VEHICLES AND FARM TRUCKS ARE EXEMPT FROM CERTAIN FEDERAL MOTOR CARRIER SAFETY LAWS AND REGULATIONS; TO AMEND SECTION 56‑3‑670, AS AMENDED, RELATING TO FEES FOR FARM TRUCK LICENSES, SO AS TO REVISE THE WEIGHT REQUIREMENTS FOR FARM TRUCKS THAT MAY BE USED FOR DOMESTIC PURPOSES AND GENERAL TRANSPORTATION BUT MAY NOT BE USED TO TRANSPORT PERSONS OR PROPERTY FOR HIRE; TO AMEND SECTION 56‑5‑4010, RELATING TO SIZE, WEIGHT, AND SPEED LIMITATIONS PLACED ON CERTAIN VEHICLES, SO AS TO PROVIDE THAT THE TRANSPORT POLICE DIVISION HAS THE EXCLUSIVE AUTHORITY TO ENFORCE THE COMMERCIAL MOTOR VEHICLE CARRIER LAWS; AND TO AMEND SECTION 56‑5‑4150, RELATING TO THE REGISTRATION OF CERTAIN VEHICLES, SO AS TO PROVIDE THAT CERTAIN “FARM TRUCKS” ARE NOT REQUIRED TO HAVE THE NAME OF THE REGISTERED OWNER, LESSOR, OR LESSEE MARKED ON THE VEHICLE.

Senator GROOMS asked unanimous consent to recall the Bill from the Legislative Council.

The motion was adopted and the Bill was recalled from the Legislative Council.

The Bill was returned from Legislative Council.

Having voted on the prevailing side, Senator GROOMS moved to reconsider the vote whereby the Bill received a third reading.

Third reading was reconsidered and the Bill was ordered returned to the Third Reading Calendar.

**RECALLED**

H. 5029 -- Reps. Thayer, Owens, Simrill, Brantley, Murphy, Gambrell, McCoy, Stavrinakis, Brannon, J.M. Neal, Agnew, Atwater, Daning, Long, Putnam, Erickson, Herbkersman, Patrick, Stringer, Ryan, Hamilton, Bedingfield, Anderson, Forrester, Sellers, Brady, Bowen, G.A. Brown, Clemmons and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑15‑315 SO AS TO PROVIDE FOR OFF‑SITE DISPLAYS OF AUTOMOBILES AND CERTAIN TRUCKS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS PROVISION.

Senator GROOMS asked unanimous consent to make a motion to recall the Bill from the Committee on Transportation.

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

**RECALLED**

H. 3601 -- Rep. H.B. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE HIGHWAY 77 FROM ITS INTERSECTION WITH FAIRFIELD/RICHLAND COUNTY LINE TO ITS INTERSECTION WITH THE FAIRFIELD/CHESTER COUNTY LINE “JOHN M. SPRATT, JR., FREEWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “JOHN M. SPRATT, JR., FREEWAY”.

Senator GROOMS 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.

**RECALLED**

S. 1501 -- Senator Coleman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 34 IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH DOUGLAS ROAD TO ITS INTERSECTION WITH CLARKE BRIDGE ROAD “EDWARD L. STEVENSON, JR. MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “EDWARD L. STEVENSON, JR. MEMORIAL HIGHWAY”.

Senator GROOMS 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.

**RECALLED**

S. 1503 -- Senator Elliott: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF SOUTH CAROLINA HIGHWAYS 9 AND 57 IN HORRY COUNTY “STALVEY BELLAMY INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “STALVEY BELLAMY INTERSECTION”.

Senator GROOMS 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. 1506 -- Senator Leatherman: A SENATE RESOLUTION TO HONOR AND CONGRATULATE AMY MCALLISTER-SKINNER UPON RECEIVING SOUTH CAROLINA’S TEACHER OF THE YEAR AWARD, TO EXPRESS APPRECIATION FOR HER DEDICATED SERVICE TO CHILDREN, AND TO WISH HER CONTINUED SUCCESS IN THE FUTURE.

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The Senate Resolution was adopted.

S. 1507 -- Senator Fair: A CONCURRENT RESOLUTION TO HONOR THE LIFE AND CAREER OF DR. WADE T. BATSON, JR., PROFESSOR EMERITUS OF BIOLOGY AT THE UNIVERSITY OF SOUTH CAROLINA, AND TO CELEBRATE HIS ONE HUNDREDTH BIRTHDAY ON MAY 7, 2012.

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

S. 1508 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE WOMEN IN PHILANTHROPY ON THE OCCASION OF ITS TENTH ANNIVERSARY AND TO THANK THE ORGANIZATION FOR ITS DISTINGUISHED SERVICE TO THE MIDLANDS OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1509 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Gregory, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LEXINGTON COUNTY CORONER HARRY O. HARMAN AND THE STAFF OF THE LEXINGTON COUNTY CORONER’S OFFICE FOR THE OUTSTANDING WORK THEY DO ON BEHALF OF LEXINGTON COUNTY, AND TO CONGRATULATE THEM FOR SUCCESSFUL ACCREDITATION BY THE INTERNATIONAL ASSOCIATION OF CORONERS AND MEDICAL EXAMINERS.

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The Senate Resolution was adopted.

S. 1510 -- Senators Malloy, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Gregory, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE THE DARLINGTON RACEWAY AS ONE OF OUR STATE’S MOST TREASURED ATTRACTIONS, AS WELL AS IDENTIFY SOUTH CAROLINA’S RICH NASCAR HISTORY IN THE STATE OF SOUTH CAROLINA AND TO NAME THE WEEK OF MAY 6, 2012, THROUGH MAY 12, 2012, AS “DARLINGTON RACEWAY WEEK - A WEEK TOO TOUGH TO TAME” IN SOUTH CAROLINA.

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On motion of Senator MALLOY, with unanimous consent, the Concurrent Resolution was adopted, ordered sent to the House.

H. 3079 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-4310 SO AS TO CREATE THE CHARITABLE BINGO ADVISORY COMMITTEE, PROVIDE FOR ITS MEMBERSHIP AND PURPOSES, AND REQUIRE A DEPARTMENT OF REVENUE DESIGNEE AS LIAISON; BY ADDING SECTION 12-21-4320 SO AS TO PROVIDE FOR ESTABLISHMENT OF AN INFORMATIONAL CHARITABLE BINGO WEBSITE BY THE DEPARTMENT AND REQUIRING THE DEPARTMENT'S RESPONSE TO INQUIRIES AS PERMANENTLY ACCESSIBLE ADVISORY OPINIONS; BY ADDING SECTION 12-21-4330 SO AS TO PROVIDE FOR ALLOWABLE PROMOTIONAL EXPENSES; TO AMEND SECTION 12-21-3920, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE BINGO TAX ACT, SO AS TO INCLUDE SPECIFIC NAMED GAMES IN THE DEFINITION “BINGO”, AND TO PROVIDE THAT THE DEFINITION OF A “CARD” INCLUDES AN INSTANT BINGO TICKET; TO AMEND SECTIONS 12-21-3940 AND 12-21-3950, BOTH AS AMENDED, RELATING TO APPLICATIONS FOR LICENSING BY NONPROFIT ORGANIZATIONS AND PROMOTERS, RESPECTIVELY, SO AS TO PROVIDE FOR AN INFORMAL APPEAL OF A REJECTION AS A FIRST STEP IN AN APPEAL; TO AMEND SECTION 12-21-3990, AS AMENDED, RELATING TO THE MANNER OF PLAYING BINGO, SO AS TO SPECIFY THE MANNER OF PLAYING BINGO WITH INSTANT BINGO TICKETS; TO AMEND SECTION 12-21-4000, AS AMENDED, RELATING TO PROCEDURES FOR OPERATING A BINGO GAME, SO AS TO FURTHER PROVIDE FOR THE APPLICABILITY OF BINGO PROCEDURES FOR BINGO PLAYED WITH INSTANT BINGO TICKETS, TO INCREASE THE ALLOWABLE EXPENSE FOR PROMOTIONS FROM ONE HUNDRED DOLLARS TO TWO HUNDRED FIFTY DOLLARS FOR EACH SESSION, AND TO SPECIFY THE INTENT OF THIS SECTION; TO AMEND SECTION 12-21-4020, AS AMENDED, RELATING TO CLASSES OF BINGO LICENSEES, SO AS TO PROVIDE FOR OPERATIONAL HOURS; TO AMEND SECTION 12-21-4120, AS AMENDED, RELATING TO A CLARIFICATION FROM THE DEPARTMENT AS TO PLAY OR OPERATION OF A GAME, SO AS TO FURTHER PROVIDE FOR A BINGO ADVISORY OPINION; AND TO AMEND SECTION 12-21-4240, RELATING TO LICENSES TO MANUFACTURE, DISTRIBUTE, OR USE BINGO CARDS, SO AS TO INCLUDE ITEMS OTHER THAN BINGO CARDS TO WHICH THIS SECTION APPLIES.

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

H. 3235 -- Reps. Taylor, Young, J. R. Smith, Bikas, Chumley, Quinn, Clemmons and Barfield: A BILL TO AMEND SECTION 30-4-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES AND THE TIME WITHIN WHICH CERTAIN RECORDS MUST BE FURNISHED UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE RECORDS MUST BE FURNISHED AT CURRENT MARKET VALUE TO THE PERSON REQUESTING THE RECORDS, AND TO PROVIDE WHERE A PUBLIC BODY GRANTS A REQUEST FOR RECORDS, IT MUST FURNISH THOSE RECORDS FOR INSPECTION OR COPYING IMMEDIATELY, BUT NO LATER THAN THIRTY DAYS AFTER THE DATE OF THE FORMAL REQUEST.

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

H. 3257 -- Reps. Herbkersman and H. B. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE UNITED STATES MARINE CORPS SPECIAL LICENSE PLATES.

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

H. 4487 -- Reps. Pitts, Cobb-Hunter, Munnerlyn, Vick, Sabb, J. M. Neal, Clyburn, Hayes, Long, Willis, Jefferson, Allison, Johnson, Gilliard and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-5-880 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL BEAR ALL COSTS RELATED TO RELOCATING WATER AND SEWER LINES THAT ARE MAINTAINED AND OPERATED BY A PUBLIC WATER SYSTEM OR A PUBLIC SEWER SYSTEM THAT ARE LOCATED WITHIN THE RIGHT-OF-WAY FOR A STATE TRANSPORTATION IMPROVEMENT PROJECT AND THAT MUST BE RELOCATED TO UNDERTAKE THE PROJECT OR THAT ARE OTHERWISE REQUIRED BY THE DEPARTMENT TO RELOCATE, TO PROVIDE THAT NOTHING CONTAINED IN THIS SECTION GRANTS THE DEPARTMENT THE AUTHORITY TO PREVENT OR MATERIALLY LIMIT A PUBLIC WATER SYSTEM'S UTILIZATION OF PROPERTY LOCATED WITHIN A STATE TRANSPORTATION IMPROVEMENT PROJECT’S RIGHT-OF-WAY FOR WATER AND SEWER CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATIONS, AND TO PROVIDE THAT IN CONJUNCTION WITH NEW ROAD CONSTRUCTION, OR THE MAINTENANCE OR RECONSTRUCTION OF EXISTING ROADWAYS IN THE PUBLIC HIGHWAY SYSTEM, THE DEPARTMENT MAY ACQUIRE ADDITIONAL RIGHTS-OF-WAY TO FACILITATE THE LOCATION OF UTILITIES OUTSIDE OF RIGHTS-OF-WAY CURRENTLY CONTAINED IN THE PUBLIC HIGHWAY SYSTEM AND TO PROVIDE FOR THE MANNER OF FUNDING FOR ACQUISITIONS.

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

H. 4610 -- Reps. Merrill, Bingham, Quinn, Sellers, Clemmons, Herbkersman, G. R. Smith, Atwater, Erickson, Skelton, Daning, Crosby, Bedingfield, Southard, J. R. Smith, Crawford, Patrick, Ryan, Huggins, Limehouse, Bannister, Barfield, Battle, Edge, Harrison, Henderson, Hixon, Lowe, Nanney, Simrill, G. M. Smith, Stavrinakis, Stringer, Taylor, Willis and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 68 TO TITLE 59 SO AS TO ENACT THE “SOUTH CAROLINA SCHOOL BUS PRIVATIZATION ACT OF 2012”, INCLUDING PROVISIONS TO PROVIDE THAT THE STATE OF SOUTH CAROLINA SHALL NOT OWN, PURCHASE, OR ACQUIRE ADDITIONAL SCHOOL BUSES ON OR AFTER JULY 1, 2015, AND ITS PRESENT FLEET OF SCHOOL BUSES SOLD OR DISPOSED OF ON A PHASED-IN BASIS BEGINNING IN 2012, TO PROVIDE THAT BEGINNING WITH THE 2012-2013 SCHOOL YEAR, SCHOOL DISTRICTS ON A PHASED-IN BASIS INDIVIDUALLY OR TOGETHER WITH OTHER DISTRICTS SHALL PROVIDE SCHOOL TRANSPORTATION SERVICES OR BY CONTRACT MAY ENGAGE A PRIVATE ENTITY TO PROVIDE SCHOOL TRANSPORTATION SERVICES WITH THE PRIVATE ENTITY PROVIDING ALL SCHOOL BUSES, PERSONNEL TO OPERATE, AND AUXILIARY SERVICES, AND TO PROVIDE FOR TERMS, CONDITIONS, PROCEDURES, AND REQUIREMENTS APPLICABLE TO THE PROVISION OF THESE SERVICES, TO PROVIDE THAT STATE SCHOOL BUS MAINTENANCE FACILITIES, ON A PHASED-IN BASIS BEGINNING IN 2012, SHALL BE LEASED OR SOLD TO SCHOOL DISTRICTS OR PRIVATE SCHOOL TRANSPORTATION PROVIDERS OR IN THE ABSENCE OF A SALE OR LEASE CLOSED, TO ESTABLISH A “SCHOOL TRANSPORTATION REIMBURSEMENT FUND” CONSISTING OF SPECIFIED FUNDS WHICH MUST BE USED TO REIMBURSE SCHOOL DISTRICTS FOR THE COST OF SCHOOL TRANSPORTATION SERVICES ON A FORMULA BASIS, TO PROVIDE FOR THE LIABILITY INSURANCE REQUIREMENTS APPLICABLE TO PRIVATE ENTITIES PROVIDING SCHOOL TRANSPORTATION SERVICES AND FOR SCHOOL BUS, DRIVER, PASSENGER, AND EQUIPMENT REQUIREMENTS IN REGARD TO THESE SERVICES; TO AMEND SECTION 59-67-460, RELATING TO CONTRACTS BY SCHOOL DISTRICTS FOR TRANSPORTATION SERVICES WITH PRIVATE CONTRACTORS, SO AS TO PROVIDE THAT A SCHOOL DISTRICT OR A GROUP OF SCHOOL DISTRICTS IS AUTHORIZED BY CONTRACT TO HAVE THEIR SCHOOL TRANSPORTATION SERVICES PROVIDED BY A PRIVATE ENTITY WHICH FURNISHES ITS OWN BUSES, PERSONNEL, AND AUXILIARY SERVICES PRIOR TO THE REQUIRED IMPLEMENTATION DATE OF THE DISTRICT'S ASSUMPTION OF RESPONSIBILITY FOR ALL SCHOOL TRANSPORTATION SERVICES IN THE DISTRICT AS REQUIRED BY CHAPTER 68, TITLE 59; AND TO REPEAL SECTION 59-67-460 EFFECTIVE ON JULY 1, 2015, WHEN THE RESPONSIBILITY TO PROVIDE SCHOOL TRANSPORTATION SERVICES IS TRANSFERRED FULLY TO THE SCHOOL DISTRICTS OF THIS STATE.

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

H. 4798 -- Reps. McLeod and Bowers: A BILL TO AMEND SECTION 5-7-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRIAL OF A PERSON IN A MUNICIPAL COURT, SO AS TO REVISE THE PERIOD OF TIME A PERSON MUST BE TRIED AFTER THE DATE OF HIS ARREST.

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

H. 4995 -- Reps. Stringer, Bingham, Harrell, Parker, Ballentine, Ryan, Bedingfield, G. R. Smith, Brady, Thayer, Patrick, Erickson, Nanney, Taylor, J. R. Smith, Allison, Bannister, Bowen, Hamilton, Henderson, Hixon, Horne, Limehouse, Loftis, Long, Owens, Tallon, Forrester, Pope, Simrill and Sottile: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO DELETE VARIOUS EXEMPTIONS; TO AMEND SECTION 12-36-2620, RELATING TO THE COMPONENTS OF THE SALES TAX, SO AS TO DELETE THE ONE PERCENT EXEMPTION TO INDIVIDUALS OVER EIGHTY-FIVE YEARS OF AGE; TO REPEAL SECTIONS 12-36-2130 AND 12-36-2610 RELATING TO THE STATE SALES TAX; TO PROVIDE THAT THE ADDITIONAL REVENUE GENERATED BY THIS ACT MUST BE USED TO REDUCE THE OVERALL SALES TAX RATE; AND TO RE-ENACT THE JOINT COMMITTEE ON TAXATION AND REQUIRE THE COMMITTEE TO REVIEW THE PROVISIONS OF SECTION 12-36-2120.

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

H. 5132 -- Reps. Limehouse, Sottile, Gilliard, R. L. Brown, Mack and Whipper: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF UNITED STATES HIGHWAY 17 AND SOUTH CAROLINA HIGHWAY 41 IN CHARLESTON COUNTY “SENATOR LARRY E. RICHTER INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “SENATOR LARRY E. RICHTER INTERCHANGE”.

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

H. 5165 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF ATLAS ROAD AND VETERANS ROAD IN RICHLAND COUNTY “HOWARD R. CAMPBELL INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “HOWARD R. CAMPBELL INTERSECTION”.

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

H. 5173 -- Rep. Merrill: A JOINT RESOLUTION TO CLARIFY AND AFFIRM THAT THE SAVANNAH RIVER MARITIME COMMISSION IS THE SOLE AUTHORITY THAT MAY TAKE ANY ACTION PERTAINING TO THE NAVIGABILITY, DEPTH, DREDGING, WASTEWATER AND SLUDGE DISPOSAL, AND RELATED COLLATERAL ISSUES OF THE SOUTH CAROLINA PORTION OF THE SAVANNAH RIVER AND CONCERNING THE SAVANNAH HARBOR EXPANSION PROJECT; TO ESTABLISH VOTING REQUIREMENTS FOR THE SOUTH CAROLINA DELEGATION TO THE JOINT PROJECT OFFICE; TO PROVIDE THAT SOUTH CAROLINA APPOINTEES TO THE JOINT PROJECT OFFICE ARE SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE; AND TO PROVIDE THAT ANY EXPENDITURE OF STATE FUNDS THROUGH THE JOINT PROJECT OFFICE MUST BE UPON THE APPROVAL OF A MAJORITY OF THE SOUTH CAROLINA REPRESENTATIVES ON THE JOINT PROJECT OFFICE.

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

H. 5178 -- Reps. Simrill, Pope, Norman, Delleney, King, Long and D. C. Moss: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST SPRINGDALE ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH FIRETOWER ROAD TO ITS INTERSECTION WITH LESSLIE HIGHWAY IN MEMORY OF ERIC LESSMEISTER AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “IN MEMORY OF ERIC LESSMEISTER, ‘ONCE A BEARCAT, ALWAYS A BEARCAT’ ”.

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

H. 5181 -- Reps. White, Anderson and Gambrell: A BILL TO AMEND SECTION 7-7-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN ANDERSON COUNTY, SO AS TO ADD THE “TOWN CREEK” PRECINCT, TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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

H. 5192 -- Rep. Cobb-Hunter: A CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF PROPER INFANT NUTRITION AND THE CREATION OF OUTREACH NUTRITIONAL AND HEALTH-SCREENING PROGRAMS, AND ACKNOWLEDGING THE BENEFITS OF BREASTFEEDING FOR BOTH INFANTS AND MOTHERS.

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

H. 5198 -- Reps. Sandifer, V. S. Moss, Brady, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LLOYD I. HENDRICKS OF COLUMBIA, PRESIDENT AND CEO OF THE SOUTH CAROLINA BANKERS ASSOCIATION, UPON THE OCCASION OF HIS RETIREMENT AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

H. 5205 -- Rep. Harrison: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MARK WESLEY BRAX OF RICHLAND COUNTY, A LIFE TAKEN SO VERY EARLY IN A TRAGIC ACCIDENT, AND TO CONVEY DEEPEST SYMPATHY TO HIS PARENTS, FAMILY, AND MANY FRIENDS.

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

**REPORTS OF STANDING COMMITTEES**

Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable report on:

H. 3400 -- Rep. Weeks: A BILL TO AMEND SECTION 63‑3‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OF THE FAMILY COURT IN CERTAIN MATTERS, SO AS TO PROVIDE THAT A CHILD SUPPORT OBLIGATION AUTOMATICALLY TERMINATES WHEN THE CHILD TURNS EIGHTEEN OR GRADUATES FROM HIGH SCHOOL, WHICHEVER IS SOONER.

Ordered for consideration tomorrow.

Senator MALLOY from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3676 -- Reps. J.E. Smith, Clemmons, Dillard, Herbkersman, Limehouse, Mitchell and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 23 TO TITLE 31 SO AS TO ENACT THE “SOUTH CAROLINA COMMUNITY LAND TRUST ACT OF 2011”, TO DEFINE TERMS, MAKE FINDINGS, TO PROVIDE THAT THE PURPOSE OF A COMMUNITY LAND TRUST IS TO HOLD LEGAL AND EQUITABLE TITLE TO LAND TO THEN LEASE THE LAND TO PROMOTE AFFORDABILITY, TO PROVIDE THE MANNER IN WHICH COMMUNITY LAND TRUSTS ARE FUNDED, AND TO PROVIDE THE PROCESS BY WHICH COMMUNITY LAND TRUSTS OPERATE.

Ordered for consideration tomorrow.

Senator HUTTO from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3757 -- Reps. Hardwick, Hearn, Mitchell, Long, Erickson, Brady, Butler Garrick, Funderburk, Munnerlyn, Knight, Dillard, Cobb‑Hunter, Parks, Huggins, Allison, Tallon, Brannon, Atwater, Whipper, Patrick and J.R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 3, TITLE 16 SO AS TO DEFINE NECESSARY TERMS, PROVIDE FOR CERTAIN HUMAN TRAFFICKING OFFENSES AND PROVIDE PENALTIES, TO PROVIDE FOR CRIMINAL LIABILITY OF BUSINESS ENTITIES, TO PROVIDE RESTITUTION FOR VICTIMS OF HUMAN TRAFFICKING OFFENSES, TO ESTABLISH AN INTERAGENCY TASK FORCE TO DEVELOP AND IMPLEMENT A PLAN FOR THE PREVENTION OF TRAFFICKING IN PERSONS, TO REQUIRE THE COLLECTION AND DISSEMINATION OF DATA RELATED TO HUMAN TRAFFICKING BY THE STATE LAW ENFORCEMENT DIVISION (SLED), TO REQUIRE MANDATORY LAW ENFORCEMENT TRAINING ON HUMAN TRAFFICKING OFFENSES, TO PROVIDE FOR THE CREATION OF PUBLIC AWARENESS PROGRAMS REGARDING HUMAN TRAFFICKING IN THE STATE, TO ALLOW CIVIL ACTIONS BY VICTIMS OF HUMAN TRAFFICKING, TO PROVIDE THAT CERTAIN STANDARDS OF WORKING CONDITIONS APPLY WITHOUT REGARD TO IMMIGRATION STATUS, TO PROVIDE CERTAIN PROTECTIONS FOR VICTIMS OF HUMAN TRAFFICKING PURSUANT TO THE VICTIMS’ BILL OF RIGHTS AND OTHER RELEVANT STATUTORY PROVISIONS, TO REQUIRE THE STATE TO DEVELOP PLANS FOR HOUSING AND COUNSELING, AMONG OTHER THINGS, OF VICTIMS OF HUMAN TRAFFICKING WITHIN ONE HUNDRED EIGHTY DAYS OF THE EFFECTIVE DATE OF THE ACT, TO PROVIDE FOR CERTAIN RIGHTS OF MINOR VICTIMS OF HUMAN TRAFFICKING, TO ESTABLISH HUMAN TRAFFICKING VICTIM‑CASEWORKER PRIVILEGE, AND TO CREATE THE OFFENSE OF MALICIOUSLY OR WITH CRIMINAL NEGLIGENCE PUBLISHING, DISSEMINATING, OR OTHERWISE DISCLOSING THE LOCATION OF A HUMAN TRAFFICKING VICTIM, A TRAFFICKING SHELTER, OR A DOMESTIC VIOLENCE SHELTER AND TO PROVIDE A PENALTY; AND TO REPEAL SECTION 16‑3‑930 RELATING TO TRAFFICKING IN PERSONS FOR FORCED LABOR OR SERVICES.

Ordered for consideration tomorrow.

Senator SCOTT from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4699 -- Reps. Bannister, Harrison, Horne, Sellers, Hearn, Young, H.B. Brown, J.E. Smith, Brannon, Stavrinakis, Funderburk, Allen, Weeks, Munnerlyn and McLeod: A BILL TO AMEND SECTION 14‑5‑610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS AND ADDITIONAL AT‑LARGE JUDGES, SO AS TO INCREASE THE NUMBER OF AT‑LARGE CIRCUIT COURT JUDGES FROM THIRTEEN TO NINETEEN; AND TO AMEND SECTION 63‑3‑40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD SIX ADDITIONAL FAMILY COURT JUDGES WHO SHALL BE AT-LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 5026 -- Rep. J.E. Smith: A BILL TO AMEND SECTION 1‑23‑600, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HEARINGS AND PROCEEDINGS BEFORE THE ADMINISTRATIVE LAW COURT, SO AS TO DELETE AN OBSOLETE REFERENCE EXEMPTING APPEALS FROM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO THE COURT.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

The following Resolutions were returned from the House, and received as information:

S. 1414 -- Senator Thomas: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF APRIL 2012 AS “ZERO TOLERANCE FOR LITTER MONTH” IN SOUTH CAROLINA, AND TO ASK ALL OF OUR CITIZENS AND LAW ENFORCEMENT OFFICERS TO WORK TOGETHER THIS MONTH AND THROUGHOUT THE YEAR FOR A CLEANER COMMUNITY, THUS PRESERVING THE NATURAL BEAUTY OF OUR COMMUNITY, OUR STATE, AND OUR COUNTRY.

S. 1418 -- Senator Ford: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF UNITED STATES HIGHWAY 17 AND MAGNOLIA ROAD IN CHARLESTON COUNTY “JAMES J. FRENCH INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “JAMES J. FRENCH INTERSECTION”.

S. 1466 -- Senator Ryberg: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD WEEK IN APRIL 2012 AS “SHAKEN BABY SYNDROME AWARENESS WEEK” TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

**Message from the House**

Columbia, S.C., May 1, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3059 -- Reps. Merrill, Stavrinakis, J.E. Smith and Whipper: A BILL TO AMEND SECTION 12‑6‑3376, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INCOME TAX CREDIT FOR PLUG‑IN HYBRID VEHICLES, SO AS TO REVISE THE DEFINITION OF “PLUG‑IN HYBRID VEHICLE”, TO RAISE THE AGGREGATE AMOUNT OF THE CREDIT AVAILABLE EACH FISCAL YEAR AND DELETE ITS EXPIRATION DATE, AND TO PROVIDE THAT THE CREDIT MUST BE ALLOCATED TO ELIGIBLE CLAIMANTS DURING A FISCAL YEAR ON A FIRST‑COME, FIRST‑SERVE BASIS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 1, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4205 -- Reps. Funderburk, G.A. Brown and Lucas: A BILL TO AMEND ARTICLE 8, CHAPTER 36, TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CORPORATIONS NOT‑FOR‑PROFIT PROVIDING WATER SERVICE FINANCED BY FEDERAL OR STATE LOANS BEING PERMITTED TO CONVERT TO A PUBLIC SERVICE DISTRICT, BY ADDING SECTION 33‑36‑1315, SO AS TO PROVIDE FOR ADDITIONAL CONVERSION PROVISIONS, TERMS, AND LIMITATIONS FOR NONPROFIT CORPORATIONS OF A CERTAIN SIZE THAT PROVIDE WATER SERVICE IN TWO OR MORE COUNTIES; AND TO AMEND SECTION 33‑36‑1330, RELATING TO THE GOVERNING BOARD AND STRUCTURE OF A CORPORATION WHICH HAS BEEN CONVERTED TO A PUBLIC SERVICE DISTRICT, SO AS TO PROVIDE FOR THE GOVERNING STRUCTURE OF A PUBLIC SERVICE DISTRICT OF A CERTAIN SIZE THAT PROVIDES SERVICE IN TWO OR MORE COUNTIES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 1, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4787 -- Reps. Brady and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 97 TO TITLE 38 SO AS TO ENACT THE “PORTABLE ELECTRONICS INSURANCE ACT”, TO PROVIDE CERTAIN DEFINITIONS RELATED TO PORTABLE ELECTRONICS INSURANCE, TO PROVIDE REQUIREMENTS RELATING TO THE SALE OF PORTABLE ELECTRONICS INSURANCE, TO PROVIDE CERTAIN DISCLOSURE REQUIREMENTS OF A VENDOR OF PORTABLE ELECTRONICS INSURANCE TO THE PROSPECTIVE CONSUMER OF THIS INSURANCE, TO PROVIDE PENALTIES FOR A VIOLATION, AND TO PROVIDE LICENSURE FEES AND SURCHARGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 2, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4906 -- Rep. J.E. Smith: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE VETERANS’ ISSUES STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM JANUARY 31, 2012, TO JANUARY 31, 2013.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 1, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5028 -- Reps. G.M. Smith and White: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR FISCAL YEAR 2012‑2013 TO TEMPORARILY SUSPEND ENFORCEMENT OF CERTAIN PROVISIONS OF THE MEDICAID NURSING HOME PERMIT LAW AND TO SET CERTAIN NURSING HOME STAFFING STANDARDS IN ORDER TO MEET APPROPRIATIONS.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 2, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 220 -- Senators Jackson and Ford: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, BY ADDING SECTION 44‑1‑149 TO PROHIBIT THE RESALE OF FOOD THAT HAS BEEN SERVED OR SOLD TO AND POSSESSED BY A CONSUMER.

Respectfully submitted,

Speaker of the House

Received as information.

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

**Message from the House**

Columbia, S.C., May 2, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1213 -- Senators Alexander, L. Martin, Scott, Knotts, Peeler, Cromer, Setzler, Leventis, Hayes, Nicholson, Ryberg and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 2 SO AS TO ESTABLISH THE STATE OF SOUTH CAROLINA MEDAL OF VALOR TO RECOGNIZE SOUTH CAROLINIANS, OR INDIVIDUALS WITH CERTAIN TIES TO SOUTH CAROLINA, WHO WERE KILLED IN ACTION WHILE SERVING IN THE ARMED FORCES OF THE UNITED STATES OF AMERICA; TO PROVIDE FOR THE SOUTH CAROLINA MEDAL OF VALOR ROLL; AND TO ESTABLISH THE SOUTH CAROLINA MEDAL OF VALOR AWARD CRITERIA.

Respectfully submitted,

Speaker of the House

Received as information.

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

**Message from the House**

Columbia, S.C., May 2, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4726 -- Reps. Pitts, Parks and Pinson: A BILL TO AMEND SECTION 6‑11‑1230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF PUBLIC SERVICE DISTRICT AND SPECIAL PURPOSE DISTRICT COMMISSIONS, INCLUDING, AMONG OTHER THINGS, THE POWER TO ASSESS THE COST OF THE ESTABLISHMENT AND CONSTRUCTION OF A SEWER LATERAL COLLECTION LINE, SO AS TO PROVIDE THAT IF A RESIDENTIAL SUBDIVISION RECEIVED CONCEPTUAL APPROVAL FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR SEPTIC TANK USE AND SUBSEQUENTLY FIVE OR MORE LOTS IN THE SUBDIVISION WERE DENIED PERMITS BY THE DEPARTMENT, AN ASSESSMENT MAY BE LEVIED ON THE ABUTTING PARCELS IN THE SUBDIVISION FOR THE ACTUAL COSTS OF THE SEWER LATERAL COLLECTION LINES, TRANSMISSION LINES, AND ASSOCIATED INFRASTRUCTURE AND TO PROVIDE THAT A LETTER OR CERTIFICATE OF THE DEPARTMENT ESTABLISHES THESE CONDITIONS AUTHORIZING THE ASSESSMENT.

Respectfully submitted,

Speaker of the House

Received as information.

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

**Message from the House**

Columbia, S.C., May 1, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3241 -- Reps. Owens, Stringer, G.R. Smith, Harrison, Daning, Hamilton, Bingham, Long, Henderson, Atwater, Lucas, Clemmons, Cooper, Horne, Simrill, D.C. Moss, Sandifer, Harrell, Erickson, Norman, Barfield and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑55 SO AS TO PROVIDE CHARTER SCHOOL POWERS AND DUTIES AND TO ALLOW A SPONSOR TO RETAIN CERTAIN FUNDS FOR OVERSEEING THE CHARTER SCHOOL; BY ADDING SECTION 59‑40‑175 SO AS TO CREATE THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM FOR THE CONSTRUCTION, PURCHASE, RENOVATION, AND MAINTENANCE OF PUBLIC CHARTER SCHOOL FACILITIES; TO AMEND SECTION 59‑40‑20, AS AMENDED, RELATING TO THE PURPOSE OF THE CHARTER SCHOOL ACT, SO AS TO INCLUDE AN ADDITIONAL PURPOSE; TO AMEND SECTION 59‑40‑40, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO AMEND EXISTING DEFINITIONS AND ADD NEW DEFINITIONS; TO AMEND SECTION 59‑40‑50, AS AMENDED, RELATING TO CHARTER SCHOOL POWERS AND DUTIES, SO AS TO ALLOW FOR THE APPLICATION TO CREATE A SINGLE GENDER CHARTER SCHOOL, REVISE PRIORITY ENROLLMENT LIMITS, PROVIDE FOR THE ELECTION OF A CHARTER SCHOOL BOARD OF DIRECTORS, PROVIDE FOR BOARD MEETING NOTICE REQUIREMENTS, ALLOW A CHARTER SCHOOL TO CONTRACT WITH PROVIDERS FOR STUDENT TRANSPORTATION, AND ALLOW CHARTER SCHOOL STUDENTS TO PARTICIPATE IN CERTAIN EXTRACURRICULAR ACTIVITIES UNDER CERTAIN CONDITIONS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO APPLICATION TO CREATE A CHARTER SCHOOL, SO AS TO CLARIFY WHAT MUST BE INCLUDED IN THE CONTRACT, AND TO REQUIRE THE DEPARTMENT OF EDUCATION TO CREATE A CONTRACT TEMPLATE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, SO AS TO REVISE ITS MEMBERSHIP AND TO EXTEND THE TIME PERIOD IN WHICH THE COMMITTEE SHALL DETERMINE APPLICATION COMPLIANCE AND THE TIME IN WHICH A LOCAL SCHOOL DISTRICT SHALL RULE ON THE APPLICATION; TO AMEND SECTION 59‑40‑100, AS AMENDED, RELATING TO CHARTER SCHOOL CONVERSION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE REGULATIONS PROVIDING FOR PAPER BALLOTS, TO REVISE PRIORITY ENROLLMENT PROCEDURES FOR A CONVERTED CHARTER SCHOOL, AND TO ALLOW A CONVERTED CHARTER SCHOOL TO RETAIN FACILITIES AND EQUIPMENT AVAILABLE BEFORE CONVERSION; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER, SO AS TO ALLOW A SPONSOR TO IMMEDIATELY REVOKE A CHARTER AND CLOSE THE SCHOOL UPON CERTAIN CONDITIONS; TO AMEND SECTION 59‑40‑140, AS AMENDED, RELATING TO DISTRIBUTION OF RESOURCES, SO AS TO PROVIDE FOR THE DISTRIBUTION OF FUNDS TO CHARTER SCHOOLS, TO REVISE WHAT THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT SHALL RECEIVE, TO ALLOW THE DEPARTMENT OF EDUCATION TO FINE SPONSORS THAT FAIL TO DISTRIBUTE CERTAIN FUNDS TO CHARTER SCHOOLS, AND TO REVISE REPORTING REQUIREMENTS; TO AMEND SECTION 59‑40‑190, AS AMENDED, RELATING TO LIABILITY OF A GOVERNING BODY OF A CHARTER SCHOOL, SO AS TO PROVIDE IMMUNITY TO A LOCAL SCHOOL DISTRICT FOR CRIMINAL OR CIVIL LIABILITY REGARDING ACTIVITIES RELATED TO A SPONSORED CHARTER SCHOOL; TO AMEND SECTION 59‑40‑230, RELATING TO THE BOARD OF TRUSTEES OF THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL, SO AS TO REVISE ITS MEMBERSHIP; AND TO AMEND SECTION 59‑40‑130, AS AMENDED, RELATING TO LEAVE TO BE EMPLOYED AT A CHARTER SCHOOL, SO AS TO PROVIDE THAT A CHARTER SCHOOL IS A COVERED EMPLOYER WITH RESPECT TO THE SOUTH CAROLINA RETIREMENT SYSTEMS FOR CERTAIN SCHOOL DISTRICT EMPLOYEES.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 1, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification:

H. 3241 -- Reps. Owens, Stringer, G.R. Smith, Harrison, Daning, Hamilton, Bingham, Long, Henderson, Atwater, Lucas, Clemmons, Cooper, Horne, Simrill, D.C. Moss, Sandifer, Harrell, Erickson, Norman, Barfield and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑55 SO AS TO PROVIDE CHARTER SCHOOL POWERS AND DUTIES AND TO ALLOW A SPONSOR TO RETAIN CERTAIN FUNDS FOR OVERSEEING THE CHARTER SCHOOL; BY ADDING SECTION 59‑40‑175 SO AS TO CREATE THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM FOR THE CONSTRUCTION, PURCHASE, RENOVATION, AND MAINTENANCE OF PUBLIC CHARTER SCHOOL FACILITIES; TO AMEND SECTION 59‑40‑20, AS AMENDED, RELATING TO THE PURPOSE OF THE CHARTER SCHOOL ACT, SO AS TO INCLUDE AN ADDITIONAL PURPOSE; TO AMEND SECTION 59‑40‑40, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO AMEND EXISTING DEFINITIONS AND ADD NEW DEFINITIONS; TO AMEND SECTION 59‑40‑50, AS AMENDED, RELATING TO CHARTER SCHOOL POWERS AND DUTIES, SO AS TO ALLOW FOR THE APPLICATION TO CREATE A SINGLE GENDER CHARTER SCHOOL, REVISE PRIORITY ENROLLMENT LIMITS, PROVIDE FOR THE ELECTION OF A CHARTER SCHOOL BOARD OF DIRECTORS, PROVIDE FOR BOARD MEETING NOTICE REQUIREMENTS, ALLOW A CHARTER SCHOOL TO CONTRACT WITH PROVIDERS FOR STUDENT TRANSPORTATION, AND ALLOW CHARTER SCHOOL STUDENTS TO PARTICIPATE IN CERTAIN EXTRACURRICULAR ACTIVITIES UNDER CERTAIN CONDITIONS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO APPLICATION TO CREATE A CHARTER SCHOOL, SO AS TO CLARIFY WHAT MUST BE INCLUDED IN THE CONTRACT, AND TO REQUIRE THE DEPARTMENT OF EDUCATION TO CREATE A CONTRACT TEMPLATE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, SO AS TO REVISE ITS MEMBERSHIP AND TO EXTEND THE TIME PERIOD IN WHICH THE COMMITTEE SHALL DETERMINE APPLICATION COMPLIANCE AND THE TIME IN WHICH A LOCAL SCHOOL DISTRICT SHALL RULE ON THE APPLICATION; TO AMEND SECTION 59‑40‑100, AS AMENDED, RELATING TO CHARTER SCHOOL CONVERSION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE REGULATIONS PROVIDING FOR PAPER BALLOTS, TO REVISE PRIORITY ENROLLMENT PROCEDURES FOR A CONVERTED CHARTER SCHOOL, AND TO ALLOW A CONVERTED CHARTER SCHOOL TO RETAIN FACILITIES AND EQUIPMENT AVAILABLE BEFORE CONVERSION; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER, SO AS TO ALLOW A SPONSOR TO IMMEDIATELY REVOKE A CHARTER AND CLOSE THE SCHOOL UPON CERTAIN CONDITIONS; TO AMEND SECTION 59‑40‑140, AS AMENDED, RELATING TO DISTRIBUTION OF RESOURCES, SO AS TO PROVIDE FOR THE DISTRIBUTION OF FUNDS TO CHARTER SCHOOLS, TO REVISE WHAT THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT SHALL RECEIVE, TO ALLOW THE DEPARTMENT OF EDUCATION TO FINE SPONSORS THAT FAIL TO DISTRIBUTE CERTAIN FUNDS TO CHARTER SCHOOLS, AND TO REVISE REPORTING REQUIREMENTS; TO AMEND SECTION 59‑40‑190, AS AMENDED, RELATING TO LIABILITY OF A GOVERNING BODY OF A CHARTER SCHOOL, SO AS TO PROVIDE IMMUNITY TO A LOCAL SCHOOL DISTRICT FOR CRIMINAL OR CIVIL LIABILITY REGARDING ACTIVITIES RELATED TO A SPONSORED CHARTER SCHOOL; TO AMEND SECTION 59‑40‑230, RELATING TO THE BOARD OF TRUSTEES OF THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL, SO AS TO REVISE ITS MEMBERSHIP; AND TO AMEND SECTION 59‑40‑130, AS AMENDED, RELATING TO LEAVE TO BE EMPLOYED AT A CHARTER SCHOOL, SO AS TO PROVIDE THAT A CHARTER SCHOOL IS A COVERED EMPLOYER WITH RESPECT TO THE SOUTH CAROLINA RETIREMENT SYSTEMS FOR CERTAIN SCHOOL DISTRICT EMPLOYEES.

Very respectfully,

Speaker of the House

Received as information.

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

**THIRD READING BILL**

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

S. 1472 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF COSMETOLOGY, RELATING TO REQUIREMENTS OF LICENSURE FOR COSMETOLOGISTS, ESTHETICIANS, AND NAIL TECHNICIANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4230, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**SECOND READING BILL**

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

S. 1492 -- Senator Bryant: A BILL TO PROVIDE THAT THE DESIGNATED PARCELS OF PROPERTY IN ANDERSON COUNTY ARE MADE A PART OF ANDERSON COUNTY SCHOOL DISTRICT FIVE.

**S. 1492--Ordered to a Third Reading**

On motion of Senator BRYANT, S. 1492 was ordered to receive a third reading on Thursday, May 3, 2012.

**READ THE SECOND TIME**

S. 1473 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CONTACTORS’ LICENSING BOARD, RELATING TO REQUIREMENTS OF LICENSURE FOR CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4229, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Gregory Grooms

Hutto Jackson Knotts

Land Leatherman Leventis

Malloy *Martin, Larry Martin, Shane*

Massey Nicholson O'Dell

Peeler Rankin Reese

Rose Scott Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The Resolution was read the second time and ordered placed on the Third Reading Calendar.

**ADOPTED**

S. 1361 -- Senators Alexander and Ford: A SENATE RESOLUTION TO COMMEND THE USE OF REFORMED MILITARY COMMISSIONS AT THE TRIAL OF ALLEGED TERRORISTS WHO WERE INVOLVED WITH ATTACKING INNOCENT AMERICANS, INTENTIONALLY CAUSING SERIOUS BODILY INJURIES, MURDER IN VIOLATION OF THE LAW OF WAR, AND PROVIDING MATERIAL SUPPORT OF TERRORISM.

The Senate Resolution was adopted.

**OBJECTIONS**

S. 1474 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF ACCOUNTANCY, RELATING TO REINSTATEMENT AND CONTINUING PROFESSIONAL EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4223, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Joint Resolution.

**S. 1474--Objection**

Senator MASSEY asked unanimous consent to make a motion that the roll call vote taken on the second reading of S. 1473 be applied to the second reading of S. 1474.

Senator KNOTTS objected.

Senator MASSEY objected to the Joint Resolution.

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

S. 1475 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF FUNERAL SERVICE, RELATING TO GENERAL LICENSING PROVISIONS FOR EMBALMERS AND FUNERAL DIRECTORS; PROVISIONS FOR ANNUAL RENEWAL OF LICENSES AND REACTIVATION OF EXPIRED LICENSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4235, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY objected to the Joint Resolution.

S. 1476 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF REGISTRATION FOR GEOLOGISTS, RELATING TO GENERAL REGISTRATION PROVISIONS FOR GEOLOGISTS-IN-TRAINING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4236, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY objected to the Joint Resolution.

S. 1477 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF BARBER EXAMINERS, RELATING TO REQUIREMENTS OF LICENSURE IN THE FIELD OF BARBERING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4225, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY objected to the Joint Resolution.

H. 4451 -- Reps. Bowen, Whipper, Bikas, Sottile, Herbkersman, D.C. Moss, Allison, Parker, Huggins, Bowers and Hearn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56‑5‑3890, 56‑5‑3895, AND 56‑5‑3897 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND TO PROVIDE FOR THE DISTRIBUTION OF MONIES COLLECTED FROM FINES ASSOCIATED WITH VIOLATIONS OF THESE PROVISIONS; AND TO AMEND SECTION 56‑1‑720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON’S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT POINTS MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF IMPROPER USE OF AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE.

Senator LEATHERMAN objected to the Bill.

**AMENDED, CARRIED OVER**

S. 1469 -- Senator Malloy: A BILL TO AMEND ACT 748 OF 1978, AS AMENDED, RELATING TO THE BOARD OF EDUCATION OF DARLINGTON COUNTY, TO RESTRICT THE AUTHORITY OF THE BOARD TO INCREASE THE TAX LEVY WITHOUT THE APPROVAL OF A VOTE OF THE COUNTY ELECTORATE.

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

Senator MALLOY proposed the following amendment (1469R002.GM), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 33 and inserting:

/ board and determine ~~and approve~~ local tax funds necessary for this/

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

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

**CARRIED OVER**

H. 3934 -- Reps. Bingham, Lowe, Atwater, Huggins, Bales, Pinson, Toole, Barfield, Clemmons, Norman, Owens, Lucas, Delleney, Loftis, Corbin, Simrill, Hixon, Taylor, D.C. Moss, J.R. Smith, Limehouse, Sottile, Bikas, Hiott, Parker, Allison, Long, Erickson, Patrick, Herbkersman, Merrill, Cole, Sellers, Ott, Hardwick, Hearn, Tallon, Stringer, Ryan, White, Pope, Henderson, Nanney, Sandifer, V.S. Moss, Horne, Neilson, Edge, Crawford, Viers, Quinn, Tribble, Willis, Parks, King, Ballentine, Bannister, Butler Garrick, J.E. Smith, Brannon, Bowen and Mitchell: A BILL TO AMEND SECTION 12‑43‑224, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ASSESSMENT OF UNDEVELOPED ACREAGE SUBDIVIDED INTO LOTS, SO AS TO PROVIDE THAT THE DISCOUNT APPLIES TO A DEVELOPER THAT HAS FIVE LOTS INSTEAD OF TEN LOTS, AND TO PROVIDE THAT IF APPLICATION FOR THE DISCOUNTED RATE COMES AFTER MAY FIRST BUT BEFORE JUNE FIRST, THE OWNER SHALL RECEIVE THE DISCOUNTED RATE BUT THE DISCOUNT SHALL BE REDUCED; AND TO AMEND SECTION 12‑43‑225, AS AMENDED, RELATING TO MULTIPLE LOT DISCOUNTS, SO AS TO PROVIDE THAT THE DISCOUNT APPLIES TO A DEVELOPER THAT HAS FIVE LOTS INSTEAD OF TEN LOTS, TO PROVIDE THAT IF APPLICATION FOR THE DISCOUNTED RATES COMES AT A CERTAIN TIME AFTER MAY FIRST, THE ASSESSOR STILL SHALL GRANT THE DISCOUNT IF ALL OTHER REQUIREMENTS ARE MET, TO PROVIDE THAT APPLICATION FOR THE DISCOUNTED RATE ONLY MUST BE MADE IN THE FIRST YEAR, AND TO TOLL TIME LIMITATIONS FOR CERTAIN PROPERTY.

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

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

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, the Senate agreed to dispense with the Motion Period.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**CARRIED OVER**

H. 3508 -- Reps. Gambrell, Sandifer, Harrell, Erickson, Limehouse, Weeks, H.B. Brown, Agnew, Allison, Anthony, Bales, Bannister, Bedingfield, Bingham, Brady, Brannon, G.A. Brown, Cole, Crosby, Forrester, Hardwick, Harrison, Hayes, Hiott, Hixon, Horne, Lowe, Lucas, McCoy, D.C. Moss, Owens, Parker, Pinson, Pitts, Skelton, J.E. Smith, J.R. Smith, Sottile, Tallon, Vick, White, Taylor, Hamilton, Battle, Allen, Dillard, Alexander, Cooper, Mack and Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO RETITLE ARTICLE 23, CHAPTER 9, TITLE 58, RELATING TO GOVERNMENT‑OWNED TELECOM-MUNICATIONS SERVICE PROVIDERS AS “GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDERS”; BY ADDING SECTION 58‑9‑2660 SO AS TO PROVIDE A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER MAY PETITION THE PUBLIC SERVICE COMMISSION TO DESIGNATE ONE OR MORE AREAS AS AN “UNSERVED AREA”, TO SPECIFY THE PROCEDURE FOR MAKING AND PROTESTING THIS PETITION, TO PROVIDE FOR A HEARING OF A PROTEST TO A PETITION, TO PROVIDE FOR THE APPLICATION OF CERTAIN PROVISIONS OF LAW TO AN UNSERVED AREA, AND TO PROVIDE A PROCESS FOR PETITIONING FOR A DETERMINATION THAT AN AREA HAS CEASED TO BE AN UNSERVED AREA; TO AMEND SECTION 58‑9‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING TELEPHONE COMPANIES, SO AS TO MODIFY THE DEFINITION OF “BROADBAND SERVICE”; TO AMEND SECTION 58‑9‑2600, RELATING TO THE PURPOSE OF ARTICLE 23, CHAPTER 9, TITLE 58, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY THE SCOPE OF THE ARTICLE; TO AMEND SECTION 58‑9‑2610, RELATING TO DEFINITIONS CONCERNING GOVERNMENT‑OWNED TELECOM-MUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 58‑9‑2620, AS AMENDED, RELATING TO DUTIES, RESTRICTIONS, RATE COMPUTATIONS, AND ACCOUNTING REQUIREMENTS OF GOVERNMENT‑OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES, TO GIVE THE OFFICE OF REGULATORY STAFF JURISDICTION TO INVESTIGATE THE COMPLIANCE OF A GOVERNMENT‑OWNED COMMUNI-CATIONS PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, TO PROVIDE THE COMMISSION MAY ENFORCE THE COMPLIANCE OF A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, AND TO CLARIFY THAT THIS SECTION DOES NOT EXPAND OR LIMIT THE JURISDICTION OF THE COMMISSION OR OFFICE OF REGULATORY STAFF WITH RESPECT TO ANY SERVICE PROVIDER OTHER THAN A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER; TO AMEND SECTION 58‑9‑2630, RELATING TO CERTAIN TAX COLLECTIONS AND PAYMENTS, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 58‑9‑2650, AS AMENDED, RELATING TO LIABILITY INSURANCE RATES FOR COMMUNICATIONS OPERATIONS, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

Senator HUTTO spoke on the committee amendment.

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

**THE SENATE PROCEEDED TO THE SPECIAL ORDER.**

**READ THE THIRD TIME, RETURNED TO THE HOUSE**

H. 3152 -- Reps. Young, Daning, Harrison, Allison, G.R. Smith, Stringer, Taylor, Forrester, Hamilton, Murphy, G.M. Smith, Bingham, Long, Patrick, Viers, Funderburk, Horne, Willis, Weeks, Pope, Simrill, Clemmons, Harrell, Bedingfield and Edge: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, SO AS TO PROVIDE THAT THE LIEUTENANT GOVERNOR MUST BE ELECTED JOINTLY WITH THE GOVERNOR IN A MANNER PRESCRIBED BY LAW; TO ADD SECTION 37 TO ARTICLE III OF THE CONSTITUTION OF THIS STATE, SO AS TO PROVIDE THAT THE SENATE SHALL ELECT FROM AMONG ITS MEMBERS A PRESIDENT TO PRESIDE OVER THE SENATE AND TO PERFORM OTHER DUTIES AS PROVIDED BY LAW; TO DELETE SECTIONS 9 AND 10 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE LIEUTENANT GOVERNOR BEING PRESIDENT OF THE SENATE AND, WHILE PRESIDING IN THE SENATE, HAVING NO VOTE, UNLESS THE SENATE IS EQUALLY DIVIDED, SO AS TO REMOVE INCONSISTENT PROVISIONS; AND TO AMEND SECTION 12 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE DISABILITY OF THE GOVERNOR, SO AS TO CONFORM APPROPRIATE REFERENCES.

The Senate proceeded to a consideration of the Joint Resolution, the question being the third reading of the Joint Resolution.

**Motion Under Rule 26B Failed**

Senator HUTTO moved under the provisions of Rule 26B to take up an additional amendment on third reading.

Having failed to receive the necessary vote, the motion under Rule 26B failed and the amendment was not considered.

Senator SHEHEEN moved to carry over the Joint Resolution.

Senator LARRY MARTIN moved to table the motion to carry over.

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

**Ayes 25; Nays 17**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Jackson

Knotts Leatherman *Martin, Larry*

*Martin, Shane* Massey O'Dell

Peeler Rankin Rose

Setzler Shoopman Thomas

Verdin

**Total--25**

**NAYS**

Anderson Coleman Elliott

Ford Gregory Hutto

Land Leventis Malloy

Matthews McGill Nicholson

Pinckney Reese Scott

Sheheen Williams

**Total--17**

The motion to carry over was laid on the table.

The question then was the third reading of the Joint Resolution.

Senator HUTTO spoke on the Joint Resolution.

Senator KNOTTS spoke on the Joint Resolution.

The Joint Resolution was read the third time, passed and ordered returned to the House of Representatives with amendments.

**MOTION ADOPTED**

Senator COURSON moved when the Senate adjourns on Wednesday, May 9, 2012, that it stand adjourned to meet under the provisions of Rule 1B on Thursday, May 10, 2012; and that when the Senate adjourns on Thursday, May 10, 2012, it stand adjourned to meet on Friday, May 11, 2012, under the provisions of Rule 1; and, further, that when the Senate adjourns on Friday, May 11, 2012, it stand adjourned to meet on Tuesday, May 15, 2012, at 12:00 Noon.

The motion was adopted.

**MOTION ADOPTED**

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Roberta J. Litchfield of Charleston, S.C., 88, retired floral designer for Creech’s Florist. Mrs. Litchfield was the widow of Samuel W. Litchfield, Jr., a devoted mother of three daughters and two sons, and a doting grandmother of 17 and great-grandmother of 22.

and

**MOTION ADOPTED**

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Blake Griffith of Oconee County, S.C. He served on the S.C. State Insurance Commission and the S.C. State Highway Commission. He was the beloved husband of Susan Pinson Griffith, a devoted father of a son and two daughters and a doting grandfather of ten and great-grandfather of two.

**ADJOURNMENT**

At 3:50 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M.

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