**Tuesday, May 22, 2012**

**(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:

In the writings of Isaiah we read:

“Comfort, comfort my people, says your God.” (Isaiah 40:1)

Friends, join me as we pray:

Holy and loving God, it should not take Isaiah to remind all of us: whatever we do as Your servants is truly about the people we are called upon to serve. May that continue, Lord, to be at the heart of all this Senate does, the impetus for their actions, the always-present reality which drives them and directs them. In such challenging times as these in which we live, the people of South Carolina need and deserve the thoughtful care and concern these Senators can give. Guide this body as they determine how to best “comfort” Your people, O God. Also, dear Lord, grant comfort and a return to full health for Senator DICK ELLIOTT, and brng him back into our midst soon. In the loving name of our Savior we pray.

Amen.

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

**Doctor of the Day**

Senator ALEXANDER introduced Dr. Ed Evans of Seneca, S.C., Doctor of the Day, along with Christina Lawrence and Chelsi Chadbourne.

**Leave of Absence**

On motion of Senator ROSE, at 12:05 P.M., Senator VERDIN was granted a leave of absence until 1:00 P.M.

**Leave of Absence**

On motion of Senator LOURIE, at 12:05 P.M., Senator ELLIOTT was granted a leave of absence for the week.

**Leave of Absence**

At 12:05 P.M., Senator CROMER requested a leave of absence beginning at 5:3.0.M. and lasting until 7:30 P.M.

**Leave of Absence**

At 12:05 P.M., Senator FAIR requested a leave of absence beginning at 4:00 P.M., to attend a graduation ceremony, and lasting until tomorrow.

**Leave of Absence**

At 12:05 P.M., Senator KNOTTS requested a leave of absence from 9:00 A.M. until 1:00 P.M. tomorrow.

**Leave of Absence**

On motion of Senator MASSEY, at 12:05 P.M., Senator RYBERG was granted a leave of absence for today.

**Objection to Leave of Absence**

At 3:05 P.M., Senator SHOOPMAN requested a leave of absence until 2:00 P.M. tomorrow.

Senator LEATHERMAN objected.

**CO-SPONSORS ADDED**

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

S. 1260 Sen. Rose

S. 1524 Sen. Ford

**Point of Quorum**

At 12:04 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Bright Campbell

Campsen Cleary Courson

Cromer Fair Grooms

Hayes Leatherman Leventis

*Martin, Larry Martin, Shane* Nicholson

Peeler Rose Scott

Setzler Sheheen Shoopman

Thomas Williams

A quorum being present, the Senate resumed.

**Recorded Presence**

Senators KNOTTS, MASSEY, LAND, COLEMAN, ANDERSON, MALLOY, MATTHEWS, JACKSON, McGILL, FORD, LOURIE, DAVIS, BRYANT, GREGORY and O’DELL recorded their presence subsequent to the Call of the Senate.

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

**MOTION ADOPTED**

**Seating Selections**

Senator LEVENTIS asked unanimous consent to make a motion that Senator MATTHEWS be assigned to Seat #26 (previously assigned to Senator LEVENTIS) and that Senator LEVENTIS be assigned to Seat No. 32 (previously assigned to Senator MATTHEWS).

There was no objection and the motion was adopted. Seat #26 was assigned to Senator MATTHEWS and Seat #32 was assigned to Senator LEVENTIS.

**RECALLED**

H. 3657 -- Reps. Cooper and Ott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑45‑17 SO AS TO PROVIDE MINIMUM CONTINUING EDUCATION COURSE REQUIREMENTS FOR COUNTY TAX COLLECTORS AND PROVIDE EXCEPTIONS; BY ADDING SECTION 12‑59‑85 SO AS TO ALLOW A COUNTY FORFEITED LAND COMMISSION TO REFUSE TO ACCEPT TITLE TO PROPERTY WHEN REFUSAL IS IN THE PUBLIC INTEREST; AND TO AMEND SECTIONS 12‑51‑50, AS AMENDED, AND 12‑51‑70, RELATING TO DELINQUENT TAX SALES, SO AS TO PROVIDE FOR THE SALES DATE AND TO INCREASE FROM THREE HUNDRED TO ONE THOUSAND DOLLARS THE DAMAGES FOR WHICH A DEFAULTING BIDDER IS LIABLE.

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

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

**RECALLED**

S. 1517 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 267 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 15 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 “REVEREND DR. SAMUEL MARSHALL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “REVEREND DR. SAMUEL MARSHALL 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.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1541 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR RUTH TODD, A NATIONALLY RENOWNED ARCHITECT, AND TO CONGRATULATE HER FOR BEING AWARDED A FELLOWSHIP BY THE AMERICAN INSTITUTE OF ARCHITECTS.

l:\council\bills\gm\25120ac12.docx

The Senate Resolution was adopted.

S. 1542 -- Senator Thomas: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE EXCEPTIONAL ATHLETIC ACHIEVEMENTS OF CHRIST CHURCH EPISCOPAL SCHOOL OF GREENVILLE COUNTY IN CAPTURING FIVE STATE CHAMPIONSHIP TITLES IN ONE YEAR WITH CHAMPIONSHIP VICTORIES IN GIRLS TENNIS, BOYS CROSS-COUNTRY, FOOTBALL, GIRLS TRACK, AND GIRLS SOCCER; AND TO CONGRATULATE THE TEAMS, COACHES, AND SCHOOL OFFICIALS FOR AN UNPARALLELED YEAR OF ATHLETIC COMPETITION.

l:\council\bills\gm\25128ab12.docx

The Senate Resolution was adopted.

S. 1543 -- 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 ELZA SANFORD “SANDY” SPRADLEY, JR. OF LEXINGTON COUNTY FOR HIS OUTSTANDING COMMUNITY AND PUBLIC SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

l:\council\bills\rm\1593zw12.docx

The Senate Resolution was adopted.

S. 1544 -- Senator L. Martin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE PICKENS COUNTY CULTURAL COMMISSION, AND TO CELEBRATE THE FIRST ANNUAL SOUTH CAROLINA STATE FIDDLING CHAMPIONSHIP AT HAGOOD MILL'S SIXTEENTH ANNUAL OLE TIME FIDDLIN' CONVENTION.

l:\council\bills\ggs\22404zw12.docx

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

S. 1545 -- Senators Massey and Knotts: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE GILBERT HIGH SCHOOL INDIANS VARSITY BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE 2012 CLASS AA STATE CHAMPIONSHIP TITLE.

l:\council\bills\gm\25129ac12.docx

The Senate Resolution was adopted.

S. 1546 -- Senator Matthews: A SENATE RESOLUTION TO WISH GODSPEED TO THE MEN AND WOMEN OF THE U.S. ARMY RESERVE 414TH TRANSPORTATION COMPANY, ORANGEBURG, AS THEY BEGIN THEIR TOUR OF DUTY IN AFGHANISTAN, AND TO EXPRESS THE DEEPEST RESPECT AND ADMIRATION OF THE MEMBERS OF THE SOUTH CAROLINA SENATE TO THESE SOLDIERS FOR THEIR COURAGE AND MANY SACRIFICES IN SERVICE TO OUR NATION AND THE PEOPLE OF AFGHANISTAN.

l:\council\bills\rm\1594htc12.docx

The Senate Resolution was adopted.

S. 1547 -- Senators Rose, Grooms and Matthews: A SENATE RESOLUTION TO EXPRESS APPRECIATION TO MERRILL A. “JERRY” SAUERBREI OF DORCHESTER COUNTY FOR HIS DEDICATION, COMMITMENT, AND SERVICE TO THE ELECTION PROCESS AND THE VOTERS IN DORCHESTER COUNTY.

l:\s-res\mtr\029saue.mrh.mtr.docx

The Senate Resolution was adopted.

S. 1548 -- Senators L. Martin and Alexander: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR DR. HENRY H. HUNT, SUPERINTENDENT OF PICKENS COUNTY SCHOOL DISTRICT, ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

l:\s-res\lam\011hunt.mrh.lam.docx

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

H. 5286 -- Reps. Hardwick, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, 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, 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, V. S. 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, Sandifer, 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 STEWART D. “DANNY” LUSSIER, ASSISTANT FIRE CHIEF OF THE MURRELLS INLET-GARDEN CITY FIRE DEPARTMENT, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY YEARS OF OUTSTANDING SERVICE AS A FIREFIGHTER IN THE PALMETTO STATE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

H. 5298 -- Rep. Barfield: A CONCURRENT RESOLUTION TO RECOGNIZE THE STUDENTS OF THE SCHOLARS ACADEMY AND THEIR COACH FOR WINNING THE “WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION” STATE COMPETITION AND TO COMMEND THE STUDENTS IN THE ACADEMY FOR THEIR DEDICATION AND STUDY THAT HELPED THEM SUCCEED IN THIS RIGOROUS ENDEAVOR.

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

**Message from the House**

Columbia, S.C., May 17, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3066 -- Reps. G.R. Smith, Daning, Ballentine, Harrison, Allison, Hamilton, G.M. Smith, Bingham, Long, Henderson, Erickson, Horne, Willis, Weeks, McLeod, Pope, Simrill, Lucas, Norman, D.C. Moss, Clemmons, Harrell, Atwater, Bedingfield, Funderburk and Edge: A BILL TO ENACT THE “SOUTH CAROLINA RESTRUCTURING ACT OF 2011” INCLUDING PROVISIONS TO AMEND SECTION 1‑30‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1‑30‑125 SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1‑11‑20, AS AMENDED, 1‑11‑22, 1‑11‑55, 1‑11‑56, 1‑11‑58, 1‑11‑65, 1‑11‑67, 1‑11‑70, 1‑11‑80, 1‑11‑90, 1‑11‑100, 1‑11‑110, 1‑11‑180, 1‑11‑220, 1‑11‑225, 1‑11‑250, 1‑11‑260, 1‑11‑270, 1‑11‑280, 1‑11‑290, 1‑11‑300, 1‑11‑310, AS AMENDED, 1‑11‑315, 1‑11‑320, 1‑11‑335, 1‑11‑340, 1‑11‑435; 2‑13‑240, CHAPTER 9, TITLE 3; 10‑1‑10, 10‑1‑30, AS AMENDED, 10‑1‑40, 10‑1‑130, 10‑1‑190, CHAPTER 9, TITLE 10, 10‑11‑50, AS AMENDED, 10‑11‑90, 10‑11‑110, 10‑11‑140, 10‑11‑330; 11‑9‑610, 11‑9‑620, 11‑9‑630, 11‑35‑3810, AS AMENDED, 11‑35‑3820, AS AMENDED, 11‑35‑3830, AS AMENDED, 11‑35‑3840, AS AMENDED, 13‑7‑30, AS AMENDED, 13‑7‑830, AS AMENDED; 44‑53‑530, AS AMENDED, AND 44‑96‑140; 48‑46‑30, 48‑46‑40, 48‑46‑50, 48‑46‑60, 48‑46‑90, 48‑52‑410, 48‑52‑440, AND 48‑52‑460; AND BY ADDING SECTION 1‑11‑185 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

asks for a Committee of Conference, and has appointed Reps. Harrison, White and Lucas to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**H. 3066--CONFERENCE COMMITTEE APPOINTED**

H. 3066 -- Reps. G.R. Smith, Daning, Ballentine, Harrison, Allison, Hamilton, G.M. Smith, Bingham, Long, Henderson, Erickson, Horne, Willis, Weeks, McLeod, Pope, Simrill, Lucas, Norman, D.C. Moss, Clemmons, Harrell, Atwater, Bedingfield, Funderburk and Edge: A BILL TO ENACT THE “SOUTH CAROLINA RESTRUCTURING ACT OF 2011” INCLUDING PROVISIONS TO AMEND SECTION 1‑30‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1‑30‑125 SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1‑11‑20, AS AMENDED, 1‑11‑22, 1‑11‑55, 1‑11‑56, 1‑11‑58, 1‑11‑65, 1‑11‑67, 1‑11‑70, 1‑11‑80, 1‑11‑90, 1‑11‑100, 1‑11‑110, 1‑11‑180, 1‑11‑220, 1‑11‑225, 1‑11‑250, 1‑11‑260, 1‑11‑270, 1‑11‑280, 1‑11‑290, 1‑11‑300, 1‑11‑310, AS AMENDED, 1‑11‑315, 1‑11‑320, 1‑11‑335, 1‑11‑340, 1‑11‑435; 2‑13‑240, CHAPTER 9, TITLE 3; 10‑1‑10, 10‑1‑30, AS AMENDED, 10‑1‑40, 10‑1‑130, 10‑1‑190, CHAPTER 9, TITLE 10, 10‑11‑50, AS AMENDED, 10‑11‑90, 10‑11‑110, 10‑11‑140, 10‑11‑330; 11‑9‑610, 11‑9‑620, 11‑9‑630, 11‑35‑3810, AS AMENDED, 11‑35‑3820, AS AMENDED, 11‑35‑3830, AS AMENDED, 11‑35‑3840, AS AMENDED, 13‑7‑30, AS AMENDED, 13‑7‑830, AS AMENDED; 44‑53‑530, AS AMENDED, AND 44‑96‑140; 48‑46‑30, 48‑46‑40, 48‑46‑50, 48‑46‑60, 48‑46‑90, 48‑52‑410, 48‑52‑440, AND 48‑52‑460; AND BY ADDING SECTION 1‑11‑185 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

Whereupon, Senators LARRY MARTIN, MALLOY and MASSEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 17, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Frye, Hodges and Hixon to the Committee of Conference on the part of the House on:

H. 3730 -- Reps. Munnerlyn, Sabb, Vick, Hayes, Tribble and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑9‑450 SO AS TO PROVIDE THAT A COMMERCIAL FUR LICENSE, IN ADDITION TO A STATE HUNTING LICENSE IS REQUIRED OF ALL PERSONS WHO SELL OR TAKE FURBEARING ANIMALS BY ANY MEANS, EXCEPT A PROCESSOR, MANUFACTURER, OR RETAILER, AND TO PROVIDE THAT A PERSON UNDER THE AGE OF SIXTEEN MAY PURCHASE A COMMERCIAL FUR LICENSE WITHOUT HAVING TO PURCHASE A STATE HUNTING LICENSE AFTER COMPLETING THE TRAPPERS EDUCATION COURSE; TO AMEND SECTION 50‑11‑40, RELATING TO THE UNLAWFUL USE OF RECORDED SOUNDS OR AMPLIFIED IMITATIONS OF CALLS OR SOUNDS BY A PERSON TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS, SO AS TO DELETE THE PROVISION THAT MAKES IT UNLAWFUL TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE HUNTING AND TAKING OF COYOTES; TO AMEND SECTION 50‑11‑1080, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES DECLARING OPEN SEASON ON COYOTES, SO AS TO PROVIDE THAT THERE IS NO CLOSED SEASON FOR HUNTING OR TAKING COYOTES WITH WEAPONS; TO AMEND SECTION 50‑11‑2400, RELATING TO DEFINITIONS OF CERTAIN TERMS THAT PERTAIN TO THE TRAPPING OF FURBEARING ANIMALS, SO AS TO REVISE THE DEFINITION OF THE TERMS “FURBEARING ANIMAL” AND “COMMERCIAL PURPOSES”, AND TO PROVIDE DEFINITIONS FOR THE TERMS “OWNER” AND “AGENT”; TO AMEND SECTION 50‑11‑2430, RELATING TO REQUIRING A FUR TRAPPER TO CARRY PROOF THAT HE IS THE OWNER OF THE PROPERTY ON WHICH HE SETS HIS TRAPS, OR HAS PERMISSION FROM THE OWNER OF THE PROPERTY UPON WHICH HIS TRAPS ARE SET, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50‑11‑2440, RELATING TO REQUIRING A TRAPPER TO VISIT HIS TRAPS DAILY, SO AS TO MODIFY THE FREQUENCY THAT A TRAPPER MUST VISIT HIS TRAPS; TO AMEND SECTION 50‑11‑2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE BY THE OWNERS OF TRAPS, SO AS TO ALLOW A TRAP OWNER’S DESIGNEE TO REMOVE WILDLIFE FROM HIS TRAPS, AND TO PROVIDE THAT A DESIGNEE MUST POSSESS WRITTEN PERMISSION FROM THE TRAP’S OWNER TO ACT ON HIS BEHALF AND MUST MEET ALL COMMERCIAL FUR LICENSING REQUIREMENTS OR BE LISTED ON A VALID DEPREDATION PERMIT; TO AMEND SECTION 50‑11‑2460, RELATING TO CERTAIN TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT RESTRICTS THE TYPES OF TRAPS THAT ARE ALLOWED TO THOSE THAT ARE IN ACCORDANCE WITH APPROVED COMMERCIAL FUR LICENSES, TO ALLOW FOR THE USE OF LIVE TRAPS TO CAPTURE CERTAIN FERAL ANIMALS, TO REVISE THE SIZE OF FOOT‑HOLD TRAPS THAT ARE ALLOWABLE, TO PROVIDE THAT SMALL SNAP, BOX, AND OTHER TRAPS ARE ALLOWED FOR TRAPPING; TO AMEND SECTION 50‑11‑2475, RELATING TO THE ISSUANCE OF A FUR PROCESSOR’S LICENSE, SO AS TO REVISE THE COST OF THE LICENSE, TO REQUIRE A TAXIDERMIST TO KEEP A DAILY REGISTER OF THE NAME AND ADDRESS OF EACH PERSON FROM WHOM A FURBEARING ANIMAL IS RECEIVED ALONG WITH OTHER INFORMATION ABOUT THE ANIMAL, AND TO MAKE TECHNICAL CHANGES; AND TO REPEAL SECTIONS 50‑11‑1060, 50‑11‑1070, AND 50-11-2420 RELATING TO THE ISSUANCE OF A COMMERCIAL FUR LICENSE, THE ISSUANCE OF A PERMIT TO POISON PREDATORY ANIMALS, AND THE KILLING OF BOBCATS.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 17, 2012

Mr. President and Senators:

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

H. 3417 -- Rep. Funderburk: A BILL TO AMEND SECTION 6‑11‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY TO ESTABLISH SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICTS, SO AS TO INCLUDE THE PROVISION OF EMERGENCY MEDICAL AND RESCUE RESPONSE SERVICES AS AN AUTHORIZED PURPOSE FOR WHICH A SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICT MAY BE ESTABLISHED.

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 17, 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. 105 -- Senators Verdin, Leventis and L. Martin: A BILL TO AMEND THE 1976 CODE, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE’S MAJOR HIGHWAYS AND INTERCHANGES LEADING TO AGRITOURISM ORIENTED FACILITIES ENGAGED IN EDUCATIONAL OR AGRITOURISM ACTIVITIES.

Respectfully submitted,

Speaker of the House

Received as information.

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

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

**HOUSE BILLS RETURNED**

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

H. 4033 -- Reps. Patrick and Loftis: A BILL TO AMEND SECTION 4-10-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CAPITAL PROJECT SALES TAX ACT, TO PROVIDE THAT THE AUTHORIZED PROJECTS THAT ARE ALLOWED TO BE FUNDED BY A COUNTY CAPITAL PROJECT SALES TAX INCLUDE DREDGING, DEWATERING, CONSTRUCTION OF SPOIL SITES, AND DISPOSAL OF SPOIL MATERIALS; TO AMEND SECTIONS 5‑37‑40, 5‑37‑50, AND 5‑37‑100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MUNICIPAL IMPROVEMENT ACT, SO AS TO PROVIDE THAT A MUNICIPAL IMPROVEMENT DISTRICT MAY BE CREATED FOR THE SOLE PURPOSE OF THE WIDENING AND DREDGING OF WATERWAYS WITHOUT PRIOR WRITTEN CONSENT OF OWNERS OF OWNER-OCCUPIED RESIDENTIAL PROPERTY AT THE TIME THE IMPROVEMENT DISTRICT IS CREATED.

H. 3111 -- Reps. Young, Sandifer, Hayes and D.C. Moss: A BILL TO AMEND SECTION 38‑73‑525, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT AN INSURER WRITING A WORKERS’ COMPENSATION POLICY SHALL FILE CERTAIN INFORMATION ON WHICH IT RELIES TO SUPPORT ITS RATE REQUEST, SO AS TO REQUIRE THE INSURER TO ADOPT THE MOST RECENT LOSS COST WITHIN ONE HUNDRED TWENTY DAYS OF APPROVAL OF THE LOSS COSTS; AND TO AMEND SECTION 38‑73‑1210, RELATING TO THE REQUIREMENT THAT ITS OBLIGATION TO MAKE CERTAIN FILINGS MAY BE SATISFIED BY MAKING FILINGS AS A MEMBER OF, OR SUBSCRIBER TO, A LICENSED RATING ORGANIZATION THAT MAKES FILINGS, SO AS TO REQUIRE THESE FILINGS BE RULE AND FORM FILINGS AND NOT LOSS COST ADOPTION FILINGS, AND REQUIRE THE INSURER TO FILE FOR CERTAIN APPROVAL IF THE RATING ORGANIZATION TO WHICH IT SUBSCRIBES HAS A RATE INCREASE WITHIN TWELVE MONTHS AFTER THE INSURER BECOMES A MEMBER.

**THIRD READING RECONSIDERED**

H. 3111 -- Reps. Young, Sandifer, Hayes and D.C. Moss: A BILL TO AMEND SECTION 38‑73‑525, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT AN INSURER WRITING A WORKERS’ COMPENSATION POLICY SHALL FILE CERTAIN INFORMATION ON WHICH IT RELIES TO SUPPORT ITS RATE REQUEST, SO AS TO REQUIRE THE INSURER TO ADOPT THE MOST RECENT LOSS COST WITHIN ONE HUNDRED TWENTY DAYS OF APPROVAL OF THE LOSS COSTS; AND TO AMEND SECTION 38‑73‑1210, RELATING TO THE REQUIREMENT THAT ITS OBLIGATION TO MAKE CERTAIN FILINGS MAY BE SATISFIED BY MAKING FILINGS AS A MEMBER OF, OR SUBSCRIBER TO, A LICENSED RATING ORGANIZATION THAT MAKES FILINGS, SO AS TO REQUIRE THESE FILINGS BE RULE AND FORM FILINGS AND NOT LOSS COST ADOPTION FILINGS, AND REQUIRE THE INSURER TO FILE FOR CERTAIN APPROVAL IF THE RATING ORGANIZATION TO WHICH IT SUBSCRIBES HAS A RATE INCREASE WITHIN TWELVE MONTHS AFTER THE INSURER BECOMES A MEMBER.

Having voted on the prevailing side, Senator THOMAS moved to reconsider the vote whereby the Bill was given a third reading.

The motion whereby the Bill was given a third reading was reconsidered.

**READ THE SECOND TIME**

H. 4763 -- Reps. Sandifer, King, Butler Garrick and Parks: A BILL TO AMEND SECTION 32‑7‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRENEED FUNERAL CONTRACT LICENSES, SO AS TO FURTHER PROVIDE FOR THE TERM OF THE LICENSE AND FOR THE USE OF LICENSE RENEWAL FEES; AND TO AMEND SECTION 32‑7‑100, AS AMENDED, RELATING TO UNLAWFUL VIOLATIONS OF LAW PERTAINING TO PRENEED FUNERAL CONTRACTS, SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS BASED ON THE AMOUNT OF MONEY OBTAINED OR SOUGHT TO BE OBTAINED WITH CERTAIN OFFENSES DECLARED TO BE MISDEMEANORS AND CERTAIN OFFENSES DECLARED TO BE FELONIES.

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

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

**Ayes 32; Nays 5**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Cromer Ford Gregory

Hayes Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O'Dell Peeler

Reese Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--32**

**NAYS**

Bright Bryant Davis

Fair Rose

**Total--5**

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

**READ THE SECOND TIME**

H. 4904 -- Reps. Bingham, Allison, Anthony and G.R. Smith: A JOINT RESOLUTION TO SUSPEND THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION PROVIDE PRINTED COPIES OF 2012 DISTRICT AND SCHOOL REPORT CARDS; TO REQUIRE A SCHOOL DISTRICT OR SCHOOL WITHIN THE DISTRICT TO PROVIDE PARENTS WITH A LINK TO THE REPORT CARDS VIA EMAIL OR OTHER COMMUNICATION METHODS UPON CERTAIN CONDITIONS; TO SUSPEND THE REQUIREMENT THAT SCHOOLS ADVERTISE THE DISTRICT AND SCHOOL 2012 REPORT CARD, BUT TO REQUIRE RESULTS TO BE PROVIDED TO AN AREA NEWSPAPER OF GENERAL CIRCULATION; TO ALLOW HIGH SCHOOLS TO OFFER STATE‑FUNDED WORKKEY ASSESSMENTS TO CERTAIN STUDENTS USING SPECIFIED FUNDS APPROPRIATED FOR FISCAL YEAR 2012‑2013, OR FOR THESE PURPOSES IN PRIOR YEARS; TO PROVIDE FOR FISCAL YEAR 2012‑2013 A ONE‑YEAR GRACE PERIOD FOR CERTAIN RECIPIENTS OF A SOUTH CAROLINA TEACHER LOAN, AND TO REQUIRE THE SOUTH CAROLINA STUDENT LOAN CORPORATION TO DEVELOP FORMS AND PROCEDURES TO IMPLEMENT THE GRACE PERIOD; AND TO DIRECT SAVINGS FROM CERTAIN PROVISIONS OF THIS ACT.

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

Senator HAYES explained the Resolution.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Cromer Davis

Fair Ford Gregory

Hayes Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O'Dell Peeler

Pinckney Reese Rose

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 5027 -- Reps. Hodges, Bowers and R.L. Brown: A BILL TO AMEND SECTION 7‑7‑200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN COLLETON COUNTY, SO AS TO ADD THE “WALTERBORO NO. 5” PRECINCT, TO DESIGNATE 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.

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

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

**Ayes 34; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Cromer Davis

Fair Gregory Hayes

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O'Dell Peeler

Pinckney Reese Rose

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--34**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 1505 -- Senator McGill: A BILL TO AMEND SECTION 50‑11‑520, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILD TURKEY HUNTING SEASONS, SO AS TO PROVIDE THAT THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY IN GAME ZONE 5 IS MARCH 15 THROUGH MAY 1 INCLUSIVE.

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

Senator SHANE MARTIN proposed the following amendment (1505R002.SRM), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 25-28 and inserting:

/ wild turkey (gobbler) ~~in Game Zone 6~~ within this State is March 15 through May 1 ~~inclusive; in other game zones the season for hunting and taking a male wild turkey (gobbler) is April 1 through May 1 inclusive~~. The department may make a special study, in a /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

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 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Cromer

Davis Fair Ford

Gregory Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Rankin Reese

Scott Setzler Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 4054 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑36 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO HUNT MIGRATORY WATERFOWL ON LAKE KEOWEE WITHIN TWO HUNDRED YARDS OF A DWELLING, AND TO PROVIDE A PENALTY.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Fish, Game and Forestry.

The Committee on Fish, Game and Forestry proposed the following amendment (SWB\5323CM12), which was adopted:

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

/SECTION 1. Article 1, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑36. It is unlawful to hunt migratory waterfowl on Lake Keowee within two hundred yards of a dwelling. As used in this section, Lake Keowee includes all waters of Keowee River impounded by the Little River Dam at Newry and the Keowee Dam to Jocassee Dam. This includes all waters upstream of the Little River Dam to the confluence of Cane Creek and Little Cane Creek on Cane Creek, to South Carolina State Highway S‑37‑175 on Crooked Creek, to South Carolina State Highway S‑37‑24 (Burnt Tanyard Road) on Little River, and to South Carolina State Highway S‑37‑200 on Stamp Creek in Oconee County. This includes all waters upstream of the Keowee Dam to the confluence of Eastatoe River and Little Eastatoe Creek on the Eastatoe River; South Carolina State Highway 133 on Cedar, Crowe, and Mile Creeks in Pickens County. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.”

SECTION 2. Article 1, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑37. It is unlawful to hunt migratory waterfowl on Broadway Lake in Anderson County within two hundred yards of a dwelling without written permission of the owner and occupant. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.”

SECTION 3. Article 1, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑38. It is unlawful to hunt migratory waterfowl on Lake Moultrie within two hundred yards of a dwelling without written permission of the owner and occupant. As used in this section, Lake Moultrie means all waters impounded by the Pinopolis Dam, including the Diversion Canal and those waters of the Re‑diversion Canal within the Santee Cooper project area. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Cromer

Davis Fair Ford

Gregory Hayes Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

H. 5051 -- Reps. Limehouse, Barfield, Tribble, Sabb, Hosey, Southard, J.H. Neal, Crawford, Parker, Brantley, Neilson, Erickson, Clemmons, Hearn, Hardwick, Loftis, Murphy, Ryan, McCoy, Anderson, Butler Garrick, Whitmire, Williams, Sottile, Alexander, Allen, Bowen, Pinson, Brannon, Johnson, Huggins, Spires, Sellers, Agnew, Anthony, Atwater, Bales, Bannister, Battle, Bedingfield, Bingham, Bowers, Branham, G.A. Brown, H.B. Brown, R.L. Brown, Chumley, Clyburn, Cobb‑Hunter, Cole, Corbin, Crosby, Daning, Delleney, Dillard, Edge, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Harrell, Harrison, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Howard, Jefferson, King, Long, Lowe, Lucas, Mack, McEachern, McLeod, D.C. Moss, V.S. Moss, Munnerlyn, J.M. Neal, Norman, Ott, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Stringer, Tallon, Taylor, Toole, Vick, Weeks, Whipper, White and Willis: A BILL TO AMEND SECTION 59‑103‑15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HIGHER EDUCATION MISSION AND GOALS FOR ALL PUBLIC HIGHER EDUCATION INSTITUTIONS IN THIS STATE, SO AS TO INCLUDE IN THE MISSION OF FOUR YEAR COLLEGES AND UNIVERSITIES UNIQUE DOCTORAL DEGREE PROGRAMS THAT ARE NOT DUPLICATIVE OF ANY RESEARCH UNIVERSITY DOCTORAL PROGRAMS IN THAT REGION, AND TO DEFINE “THAT REGION”.

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

Senator SETZLER proposed the following amendment (AGM\  
19623AB12), which was adopted:

Amend the committee report, as and if amended, Section 59‑103‑15(B)(2), as contained in SECTION 1, by deleting the subitem in its entirety and inserting:

/ (2) Four‑year colleges and universities

(a) college‑level baccalaureate education ~~and~~ with selected master’s degrees which lead to employment or continued education~~, or both, except for doctoral degrees currently being offered~~;

(b) doctoral degree in Marine Science approved by the Commission on Higher Education;

~~(b)~~(c) limited and specialized research;

~~(c)~~(d) public service to the State and the local community; /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The Committee of Education proposed the following amendment (5051R001.JEC), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 2-7 and inserting:

/ (i) reflect the unique research expertise of a cadre of faculty in the discipline sufficient to sustain doctoral level research at the four‑year institution; and

(ii) meet the needs of the State; /

Renumber sections to conform.

Amend title to conform.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Cromer

Davis Fair Gregory

Hayes Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McGill Nicholson

O'Dell Peeler Pinckney

Reese Rose Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

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

**AMENDED, CARRIED OVER**

S. 1353 -- Senators Rose and Knotts: A BILL TO AMEND SECTION 8‑13‑1140 OF THE 1976 CODE, RELATING TO THE DISCLOSURE OF ECONOMIC INTERESTS BY PUBLIC OFFICERS AND EMPLOYEES, TO REQUIRE A PERSON THAT IS REQUIRED TO FILE THE STATEMENT TO FILE FOR ANY YEAR IN WHICH THAT PERSON HOLDS OFFICE FOR ANY PORTION OF THE YEAR.

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

Senators CAMPSEN, CLEARY, SCOTT and ROSE proposed the following amendment (JUD1353.001), which was adopted:

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

/ SECTION 1. Section 8‑13‑1140 of the 1976 Code, as added by Act 248 of 1991, is amended to read:

“Section 8‑13‑1140. (A) A person required to file a statement of economic interests ~~under~~ pursuant to this chapter shall file an updated statement for the previous calendar year with the appropriate supervisory office annually, no later than April fifteenth of each calendar year, listing any addition, deletion, or change in his economic status with respect to which information is required to be supplied ~~under~~ pursuant to this article. If the person has filed the description by name, amount, and schedule of payments of a continuing arrangement relating to an item required to be reported ~~under~~ pursuant to this article, an updating statement need not be filed for each payment under the continuing arrangement, but only if the arrangement is terminated or altered.

(B) Notwithstanding another provision of law, a person required to file a statement of economic interests pursuant to this chapter, within thirty days of leaving the public position, public office, or public employment, must file a closeout statement of economic interests that covers the period from the date of the person’s last filed statement of economic interests through the date on which the person left public office or employment.”

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

Renumber sections to conform.

Amend title to conform.

Senator ROSE explained the amendment.

The amendment was adopted.

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

**AMENDED, CARRIED OVER**

H. 3163 -- Reps. Tallon, Cole, Allison, G.R. Smith, Taylor, McCoy, Forrester, Murphy, Hixon and Patrick: A BILL TO AMEND ARTICLE 23, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR, DRUGS, OR NARCOTICS, BY ADDING SECTION 56-5-2905 TO INCLUDE MOPEDS IN THE DEFINITION OF MOTOR VEHICLES FOR THE PURPOSES OF THE ARTICLE.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment.

Senator SCOTT asked unanimous consent to withdraw the previously proposed amendment.

There was no objection and the amendment was withdrawn.

Senator ALEXANDER proposed the following amendment (NBD\12375AC12), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION \_\_. Section 56‑5‑3720 of the 1976 Code is amended to read:

“Section 56‑5‑3720. It is unlawful for a person to sell a moped for use on the public highways and streets of this State or operate a moped upon the public highways and streets of this State without operable pedals if the moped is equipped with pedals, at least one rearview mirror, operable running lights, a hideaway type strobe light or similar device, and brake lights which are operable when either brake is deployed. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days.”

SECTION \_\_. Section 56-5-3730 of the 1976 Code is amended to read:

“Section 56-5-3730. The operator of a moped must have the operating and strobe lights turned on at all times while the moped is in operation on the public highways and streets of this State.” /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

Senator SCOTT proposed the following amendment (SWB\  
5327CM12), which was adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Article 23, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑2937. (A) Notwithstanding any other provision of law, a person convicted of violating Section 56‑5‑2933 while operating a moped must be punished as follows:

(1) for a first offense, by a fine of not more than five hundred dollars or imprisonment of not more than thirty days; or

(2) for a second or subsequent offense, by imprisonment of not less than five days, but not more than one year, no part of which may be suspended.

(B) Any conviction for a violation of Section 56‑5‑2930 or Section 56‑5‑2933 may be used for enhancement purposes under this section.” /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

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

**CARRIED OVER**

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.

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

H. 3665 -- Reps. Cooper, Pitts, Taylor, G.R. Smith, Bedingfield, White and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 23‑31‑130, 23‑31‑150, AND 23‑31‑180 RELATING TO REQUIRING A RETAIL DEALER TO POSSESS A LICENSE TO SELL OR TRANSFER A PISTOL AND THE ISSUANCE OF THE LICENSE, AND RELATING TO CERTAIN WEAPONS DECLARED TO BE CONTRABAND.

Senator CAMPSEN explained the Bill.

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

H. 4814 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2011‑2012, TO PROVIDE REPORTING REQUIREMENTS WITH RESPECT TO A SPECIFIC APPROPRIATION, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

On motion of Senator BRIGHT, the Joint Resolution was carried over.

**ADOPTED**

S. 1524 -- Senators Fair, Hutto, Jackson, Leventis and Ford: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE WEDNESDAY, MAY 23, 2012, AS “CHILDREN’S ADVOCACY DAY” IN SOUTH CAROLINA.

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

S. 1538 -- Senators Williams and Leatherman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF NATURAL RESOURCES NAME THE BLACK CREEK BOAT LANDING, ON HIGHWAY 327 IN FLORENCE COUNTY AS “JAMES R. HARWELL LANDING”, AND TO INSTALL APPROPRIATE SIGNS CONTAINING “JAMES R. HARWELL LANDING” ON THE PROPERTY.

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

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator COLEMAN rose for an Expression of Personal Interest.

**THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4813, THE GENERAL APPROPRIATIONS BILL.**

**AMENDED, DEBATE INTERRUPTED**

**H. 4813--GENERAL APPROPRIATIONS BILL**

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

**Amendment No. 93**

Senator SHEHEEN proposed the following amendment (4813 SHEHEEN.FORESTRY.DOCX), which was adopted (#28):

Amend the bill, as and if amended, Part IA, Section 33, FORESTRY COMMISSION, page 140, line 20,

by:

COLUMN 7 COLUMN 8

/ STRIKING: 7,982,183 6,321,665

and

INSERTING: 8,000,698 6,340,180/

Amend the bill further, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 520, proviso 89.127, by striking the proviso in its entirety, and inserting:

/ *89.127. (GP: Law Enforcement Special Salary Increase) All funds appropriated to the State Law Enforcement Division, the Department of Public Safety, the Department of Natural Resources, ~~and~~ the Department of Probation, Parole and Pardon Services, and the Forestry Commission for law enforcement salary increases above the amount appropriated for base pay increases for state employees must be distributed on or after July 1, 2012. The specified funds are to be used to increase ~~is for~~ by two percent, the compensation of Class 1 Law Enforcement Officers whose annual salary was $50,000 or less prior to the base pay increase authorized in proviso 80A.25 of this act.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

Amendment No. 93 was adopted.

**Amendment No. 87**

Senators SETZLER and HAYES proposed the following amendment (DG NBCERT), which was adopted (#29):

Amend the bill, as and if amended, Part IB, Section 1a, DEPARTMENT OF EDUCATION - EIA, page 369, after line 17, by adding an appropriately numbered new proviso to read:

/ *1A.\_\_\_. (SDE-EIA: XII.C.2-National Board Certification Incentive) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010, shall be paid a $7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governor’s School for Science and Math, Governor’s School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The $7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the $7,500 supplement shall be adjusted on a pro rata basis for the teacher’s FTE and paid to the teacher in accordance with the district’s payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, may receive a loan equal to the amount of the application fee. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, shall have one-half of the loan principal amount and interest forgiven when the required portfolio is submitted to the national board. Teachers who applied to the National Board for Professional Teaching standards for certification prior to July 1, 2010, who attain certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, XII.C.2 for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of the loan program for teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010. In addition, teachers who have applied prior to July 1, 2010, and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010, moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.*

*Provided, further, that in calculating the compensation for teacher specialists, the Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

Amendment No. 87 was adopted.

**Amendment No. 95**

Senator CROMER proposed the following amendment (DG DOTPROPOWN), which was adopted (#30):

Amend the bill, as and if amended, Part IB, Section 68a, DEPARTMENT OF TRANSPORTATION, page 450, after line 3, by adding an appropriately numbered new proviso to read:

/ 68A.\_\_\_ (DOT: Diminished Property) Funds appropriated in this section shall be made available to any property owner whose property value has been diminished by any federal or state statute, including regulations, procedures, manuals, or rulings, that restricts complete ingress or egress to the identified property. A property owner shall make application to the department on forms provided by the department for a specific dollar amount, based on the fair market value of the property as if complete ingress and egress were allowed. The department shall make a determination within thirty days from receipt of the application and shall notify the applicant of its determination. If legal action is initiated against the department, and the court subsequently vacates the department’s determination or the court rules in favor of the property owner, the department shall pay all court and legal costs of the property owner, in addition to the requested value of the property. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER explained the amendment.

Amendment No. 95 was adopted.

**Amendment No. 91**

Senators BRIGHT, BRYANT and SHANE MARTIN proposed the following amendment (DG LEGMANSUP), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 70, LEGISLATIVE DEPARTMENT, page 459, after line 3, by adding an appropriately numbered new proviso to read:

/ *70.\_\_\_ (LEG: Legislative Manual) (A) No general fund dollars may be used in the printing of the annual Legislative Manual unless each manual is sold at a cost equal to the amount of funds necessary to print the manual. No person, including members of the General Assembly, may receive a manual free of charge.*

*(B) From the savings resulting from subsection (A), the Department of Legislative Printing, Information and Technology Systems shall transfer $51,458 to the Department of Education for teacher supplies. The department shall transfer an equal amount of the transferred funds to each school district in this State. Notwithstanding the provisions of Proviso 1A.16, the amount allowed for each teacher shall be adjusted accordingly to conform with this additional funding*. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

Senator SCOTT moved to lay the amendment on the table.

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

**Ayes 15; Nays 24**

**AYES**

Anderson Coleman Ford

Jackson Land Leventis

Malloy Matthews McGill

Nicholson Pinckney Reese

Scott Sheheen Williams

**Total--15**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cromer

Davis Fair Gregory

Grooms Hayes Knotts

Lourie *Martin, Larry Martin, Shane*

Massey O'Dell Peeler

Rankin Rose Setzler

Shoopman Thomas Verdin

**Total--24**

The Senate refused to table the amendment. The question then was the adoption of the amendment.

Senator LEVENTIS spoke on the amendment.

Senator LOURIE spoke on the amendment.

Senatot SCOTT spoke on the amendment.

Senator SHANE MARTIN spoke on the amendment.

**Point of Order**

Senator MALLOY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator LEVENTIS spoke on the Point of Order and called the PRESIDENT’s attention to Section 2-1-130 of the S.C. Code of Laws, 1976, as amended.

The PRESIDENT sustained the Point of Order.

Amendment No. 91 was ruled out of order.

**Amendment No. 92**

Senators MASSEY and KNOTTS proposed the following amendment (4813R021.ASM.DOCX), which was adopted (#31):

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 512, paragraph 89.96, beginning on line 31, by striking the proviso in its entirety and inserting:

/ 89.96. (GP: Deficit Monitoring) *The Office of State Budget must conduct a quarterly deficit monitoring review of each agency.* If at the end of each quarterly deficit monitoring review by the Office of State Budget, it is determined by either the Office of State Budget or an agency that the likelihood of a deficit for the current fiscal year exists, the agency shall submit to the Office of State Budget within fourteen days, a plan to minimize or eliminate the projected deficit. ~~After submission of the plan, if it is determined that the deficit cannot be eliminated by the agency on its own, the agency is required to officially notify the Budget and Control Board within thirty days of such determination that the agency is requesting that a deficit be recognized. Once a deficit has been recognized by the Budget and Control Board,~~ *The plan submitted by* the agency shall ~~limit~~ *include limitations on* travel and conference attendance to the minimum required to perform the core mission of the agency. ~~In addition, the board when recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles shall be approved by the Office of State Budget.~~ /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

**Amendment No. 42**

Senator MALLOY proposed the following amendment (DAD 89.103 CIVIL CONSP), which was adopted (#32):

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 514, paragraph 89.103 (Civil Conspiracy Defense Costs), lines 28-35 and page 515, lines 1-2, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

**Recorded Vote**

Senators KNOTTS, CAMPBELL, BRYANT and FAIR desired to be recorded as voting against the adoption of the amendment.

**Point of Order**

Senator MALLOY raised a Point of Order under Rule 24A that Section 89.133 of Part 1 was out of order inasmuch as it was not germane to the Bill and it was violative of Section 24-28-30(3).

The PRESIDENT overruled the Point of Order.

**Point of Order**

Senator BRYANT raised a Point of Order under Rule 24A that Amendment No. 49, which had been previously adopted, was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

**Amendment No. 96**

Senator ELLIOTT proposed the following amendment (DKA\  
4137SD12), which was adopted (#33):

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 522, after line 17, by adding an appropriately numbered new proviso to read:

/ *89. (GP: Expenditure Reports Required) (A) By no later than October 1, 2012, a nongovernmental entity, agency, or organization, whether for or not‑for‑profit, that received more than one hundred dollars in county or municipal grants in the previous calendar year, must submit an expenditure report to the jurisdiction awarding the funds. For purposes of this paragraph,* ‘*grants*’ *are those monies derived either from county or municipal tax revenue or appropriated to the jurisdiction by the General Assembly that are awarded, gifted, designated, or contributed by a jurisdiction to an entity, agency, or organization, whether by formula or at the jurisdiction*’*s discretion for any purpose, including revenues distributed from local option tourism development fees.* ‘*Grants*’ *do not include payments for direct services or goods.*

*(B) The expenditure report must include:*

*(1) the amount of funds received,*

*(2) the amount of funds expended,*

*(3) the purposes for which the funds were expended, and*

*(4) any other information required by the jurisdiction so as to promote transparency and public confidence in how the grantee entities, agencies, and organizations expend the funds.*

*(C) Unless all or portions of the report may be redacted or exempted pursuant to subsection (D), a county and municipality receiving expenditure reports required by this paragraph shall prominently display the reports on the jurisdiction*’*s Internet website. The reports must be downloadable and maintained for one year. If a jurisdiction does not maintain an Internet website, the register must be maintained on the Internet website of the Comptroller General. Also, a jurisdiction shall display the name and amount of funds awarded to any entity, agency, or organization that has failed to timely submit an expenditure report.*

*(D) Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this paragraph. A county or municipality may also exempt disclosure of any expenditure or reimbursement that the jurisdiction determines is reasonable and necessary to exclude. If a jurisdiction excludes an expenditure or reimbursement, the jurisdiction must, in general terms, state the reasons for the exclusion. The statement shall be displayed in the same manner and location as the expenditure report.*

*(E) To avoid additional expense for county and municipal governments in the implementation of this paragraph, the expenditure reporting must be effected using existing resources with no additional expense to the jurisdiction. The Office of the Comptroller General must be available to county and municipal governments, upon their formal request, to provide technical assistance in meeting the requirements of this paragraph. The Office of the Comptroller General shall not intercede on behalf of jurisdictions unless a formal request is made*. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Amendment No. 47**

Senator BRIGHT proposed the following amendment (DG JUDGES HALF HWY), which was tabled:

Amend the bill, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 177, line 1 opposite “CIRCUIT COURT JUDGE” by:

COLUMN 7 COLUMN 8

/ STRIKING: 390,936 390,936

and

INSERTING: 195,468 195,468/

Amend the bill further, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 177, line 3, opposite “ADMINISTRATIVE SPECIALIST” by:

COLUMN 7 COLUMN 8

/ STRIKING: 73,914 73,914

and

INSERTING: 36,957 36,957/

Amend the bill further, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 177, line 5, opposite “COURT REPORTER” by:

COLUMN 7 COLUMN 8

/ STRIKING: 106,404 106,404

and

INSERTING: 53,202 53,202/

Amend the bill further, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 177, line 7, opposite “LAW CLERK” by:

COLUMN 7 COLUMN 8

/ STRIKING: 117,480 117,480

and

INSERTING: 58,740 58,740/

Amend the bill further, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 177, line 12, opposite “OTHER OPERATING EXPENSES” by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,825,058 1,465,058

and

INSERTING: 1,816,161 1,456,161/

Amend the bill further, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 177, line 29, opposite “FAMILY COURT JUDGE” by:

COLUMN 7 COLUMN 8

/ STRIKING: 761,299 761,299

and

INSERTING: 380,650 380,650/

Amend the bill further, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 177, line 31, opposite “ADMINISTRATIVE SPECIALIST” by:

COLUMN 7 COLUMN 8

/ STRIKING: 147,828 147,828

and

INSERTING: 73,914 73,914/

Amend the bill further, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 177, line 33, opposite “COURT REPORTER” by:

COLUMN 7 COLUMN 8

/ STRIKING: 212,808 212,808

and

INSERTING: 106,404 106,404/

Amend the bill further, as and if amended, Part IA, Section 44, JUDICIAL DEPARTMENT, page 179, line 36, opposite “EMPLOYER CONTRIBUTIONS” by:

COLUMN 7 COLUMN 8

/ STRIKING: 15,909,169 12,756,169

and

INSERTING: 15,326,556 12,173,556/

Amend the bill further, as and if amended Part 1A, Section 68A, DEPARTMENT OF TRANSPORTATION, page 246, line 13, opposite “OTHER OPERATING EXPENSES”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 35,000,000

and

INSERTING: 36,496,844 1,496,844/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

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

**Ayes 27; Nays 9**

**AYES**

Alexander Campbell Cleary

Courson Cromer Ford

Grooms Hayes Jackson

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

Massey Matthews McGill

Nicholson Pinckney Rankin

Reese Scott Setzler

Sheheen Thomas Verdin

**Total--27**

**NAYS**

Bright Bryant Campsen

Davis Gregory *Martin, Shane*

O'Dell Peeler Rose

**Total--9**

The amendment was laid on the table.

On motion of Senator MATTHEWS, with unanimous consent, Amendment No. 100 was taken up for immediate consideration.

**Amendment No. 100**

Senators MATTHEWS and SETZLER proposed the following amendment (DG PROJEFAPARA), which was adopted (#34):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 321, after line 24 by inserting:

/ *The numbers listed in the following paragraphs for each individual school district regarding pupil count and funding are merely projections for the current fiscal year. Actual revenues will vary from the projections. The Budget and Control Board, Office of Research and Statistics, must post in a prominent place on their website for each school district these projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Budget and Control Board, Office or Research and Statistics, shall also post on their website the 135 ‑day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59‑17‑100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Budget and Control Board, Office of Research and Statistics, including the projected numbers and the exact numbers.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MATTHEWS explained the amendment.

The amendment was adopted.

**Amendment No. 101**

Senator BRIGHT proposed the following amendment (DG LEGMANSUSP), which was tabled:

Amend the bill, as and if amended, Part IB, Section 70, LEGISLATIVE DEPARTMENT, page 459, after line 3, by adding an appropriately numbered new proviso to read:

/ *70.\_\_\_ (LEG: Legislative Manual) For fiscal year 2012-2013, Section 2-1-130 of the 1976 Code is suspended.*  /

Amend the bill further, as and if amended, Part IB, Section 70, LEGISLATIVE DEPARTMENT, page 459, after line 3, by adding an appropriately numbered new proviso to read:

/ *70.\_\_\_\_ (Transfer to Department of Education) From the funds appropriated to the Department of Legislative Printing, Information and Technology System, the department shall transfer $51,458 to the Department of Education for teacher supplies. The department shall transfer an equal amount of the transferred funds to each school district in this State. Notwithstanding the provisions of Proviso 1A.16, the amount allowed for each teacher shall be adjusted accordingly to conform with this additional funding.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

Senator SCOTT moved to lay the amendment on the table.

The amendment was laid on the table.

**Motion to Ratify Adopted**

At 4:56 P.M., Senator COURSON asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time after 11:00 A.M.

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

**RECESS**

At 5:00 P.M., on motion of Senator LEATHERMAN, the Senate receded from business not to exceed ten minutes.

At 5:10 P.M., the Senate resumed.

Senator LEATHERMAN spoke on the Bill.

On motion of Senator COURSON, debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senator COURSON, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 11:00 A.M. tomorrow.

**ADJOURNMENT**

At 5:11 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*