**Thursday, March 21, 2013**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

The Psalmist proclaims these words of praise:

“I rejoiced with those who said to me, ‘Let us go to the house of the Lord. Our feet are standing in your gates, O Jerusalem’.”

(Psalm 122:1-2)

Let us pray:

Holy God, we gather here this morning realizing that Holy Week and Passover are just days away. As always, the power and majesty of those observances encourages us and fills our hearts. The wonder of all that transpired there in the Holy City brings us up short. We are caught up in the ancient stories, and from them we gain new and perhaps different perspectives upon the countless issues before us. Lord, fill the hearts of these Senators and their aides with the promise and hope that can be found only by those who stand within Your gates. And richly bless this place of governmental power. In Your holy and blessed name we pray, Lord.

Amen.

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

**Motion to Ratify Adopted**

At 11:06 A.M., Senator LARRY MARTIN 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 11:10 A.M.

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

**Motion Adopted**

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

**Doctor of the Day**

Senator LARRY MARTIN introduced Dr. Larry Winn of Easley, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator CAMPBELL, at 11:05 A.M., Senator GROOMS was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator NICHOLSON, at 11:05 A.M., Senator SCOTT was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator MASSEY, at 11:05 A.M., Senator GREGORY was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator ALEXANDER, at 12:30 P.M., Senator LEATHERMAN was granted a leave of absence until 2:00 P.M.

**CO-SPONSORS ADDED**

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

S. 117 Sen. Ford

S. 150 Sen. Larry Martin

S. 173 Sen. Sheheen

S. 184 Sen. Campsen

S. 284 Sen. Ford

S. 296 Sen. Ford

S. 406 Sen. Ford

S. 464 Sen. Ford

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 557 -- Senator Peeler: A SENATE RESOLUTION TO EXPRESS THE CONGRATULATIONS OF THE MEMBERS OF THE SOUTH CAROLINA SENATE TO MR. GENE GREGORY ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY AND TO WISH FOR HIM CONTINUED GOOD HEALTH AND MUCH HAPPINESS IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 558 -- Senator Reese: A BILL TO AMEND ARTICLE 13, CHAPTER 25, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS PLACED ON THE USE OF WATERCRAFT ON LAKES WILLIAM C. BOWEN AND H. TAYLOR BLALOCK IN SPARTANBURG COUNTY, SO AS TO SPECIFY THE TYPES OF WATERCRAFT TO WHICH THESE RESTRICTIONS APPLY, TO PROVIDE THAT CERTAIN SIGNS THAT CONTAIN THESE RESTRICTIONS MUST BE DESIGNED AND INSTALLED BY THE SPARTANBURG WATER SYSTEM, TO PROVIDE THAT CERTAIN VESSELS ARE EXEMPTED FROM THESE RESTRICTIONS, TO PROVIDE THAT THESE RESTRICTIONS APPLY TO A HYDROELECTRIC GENERATOR OUTFALL, AND TO PROVIDE THAT CERTAIN RESTRICTIONS APPLICABLE TO LAKE H. TAYLOR BLALOCK DO NOT APPLY TO THE HUNTING OF WATERFOWL IN CERTAIN AREAS DURING CERTAIN TIMES OF THE YEAR.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 559 -- Senators Campsen and McGill: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR POSSESS MORE THAN FIFTEEN FLOUNDER TAKEN BY MEANS OF GIG, SPEAR, HOOK AND LINE, OR SIMILAR DEVICE IN ANY ONE DAY, NOT TO EXCEED THIRTY FLOUNDER IN ANY ONE DAY ON ANY BOAT.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 560 -- Senator L. Martin: A BILL TO AMEND SECTION 58-15-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE WILFULL AND MALICIOUS INJURY TO A RAILROAD OR ELECTRIC RAILWAY, SO AS TO PROVIDE A TIER OF PENALTIES FOR VIOLATIONS; AND TO AMEND ARTICLE 9, CHAPTER 15, TITLE 58, RELATING TO RAILROADS, ELECTRIC RAILROADS, AND THE LIKE, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO PURCHASE, SELL, OR TRANSPORT RAILROAD TRACK MATERIALS, TO PROVIDE EXCEPTIONS, AND TO PROVIDE A TIER OF PENALTIES FOR VIOLATIONS.

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

S. 561 -- Senator L. Martin: A BILL TO AMEND SECTION 16-17-680 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASING, SELLING, AND TRANSPORTING OF NONFERROUS METALS, SO AS TO DEFINE THE TERM “COIL” AND PROVIDE THAT A SECONDARY METALS RECYCLER MUST NOT PURCHASE OR OTHERWISE ACQUIRE A COIL.

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

S. 562 -- Senator Campsen: A BILL TO AMEND SECTION 27-27-10 OF THE 1976 CODE, RELATING TO RECOVERY FOR IMPROVEMENTS MADE IN GOOD FAITH, TO PROVIDE THAT THE DEFENDANT SHALL BE ENTITLED TO RECOVER THE FULL VALUE OF ALL IMPROVEMENTS IF HE HAS PURCHASED OR OTHERWISE ACQUIRED TITLE TO THE LANDS AND TENEMENTS IN THE ACTION.

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

S. 563 -- Senators Lourie and Courson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ROBERT E. “BOB” DAVIS, CHIEF FINANCIAL OFFICER FOR RICHLAND SCHOOL DISTRICT TWO, UPON THE OCCASION OF HIS RETIREMENT AFTER FIFTEEN YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 564 -- Senator L. Martin: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN’S CHRISTIAN ASSOCIATION TO USE THE SENATE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE SENATE OFFICE BUILDING ON THURSDAY, NOVEMBER 21, 2013, AND FRIDAY, NOVEMBER 22, 2013, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

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

S. 565 -- Senators Fair, Hutto and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-95 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO POST ON IT'S WEBSITE GUIDELINES AND MODEL POLICIES FOR IDENTIFYING AND MANAGING SUSPECTED CONCUSSIONS IN STUDENT ATHLETES, TO REQUIRE EACH LOCAL SCHOOL DISTRICT TO DEVELOP CONCUSSION GUIDELINES AND PROCEDURES, TO REQUIRE SCHOOL DISTRICTS TO ANNUALLY PROVIDE INFORMATION ON CONCUSSIONS AND BRAIN INJURIES TO STUDENT ATHLETES AND THEIR PARENTS, TO REQUIRE A STUDENT ATHLETE TO BE REMOVED FROM PLAY IF BELIEVED TO HAVE SUSTAINED A CONCUSSION, AND TO ESTABLISH PROCEDURES FOR RETURNING AN ATHLETE TO PLAY, FOR FURTHER EVALUATION, AND FOR RETURNING TO PLAY AFTER FURTHER EVALUATION, AND TO PROVIDE IMMUNITY FOR TRAINERS AND PHYSICIANS WHO EVALUATE AND RETURN A STUDENT TO PLAY DURING A PRACTICE OR AN ATHLETIC COMPETITION, WHETHER THE TRAINER OR PHYSICIAN WAS A VOLUNTEER OR PAID.

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

S. 566 -- Senator Lourie: A BILL TO AMEND SECTION 12-21-625, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SURTAX ON CIGARETTES, INCLUDING THE DEFINITION OF “CIGARETTE”, SO AS TO REVISE THE WEIGHT LIMITATION ON CIGARETTES FROM THREE POUNDS OR LESS PER ONE THOUSAND CIGARETTES TO FOUR AND ONE-HALF POUNDS OR LESS PER ONE THOUSAND CIGARETTES AND TO EXEMPT THOSE WRAPPED TOTALLY IN TOBACCO LEAF WITH NO FILTER; TO ALSO DEFINE “CIGARETTE” TO INCLUDE 0.325 OUNCES OF TOBACCO LIKELY INTENDED TO BE PURCHASED TO ROLL YOUR OWN CIGARETTES.

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

S. 567 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-145 SO AS TO REQUIRE THAT A PERSON LICENSED TO SELL BEER, WINE, OR ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION SHALL MAINTAIN LIABILITY INSURANCE WITH COVERAGE OF AT LEAST FIFTY THOUSAND DOLLARS DURING THE PERIOD OF LICENSURE.

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

S. 568 -- Senator Peeler: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATE OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO ADD THE DEFINITION FOR “NEW AND EMERGING TECHNOLOGY”; TO AMEND SECTION 44-7-160, AS AMENDED, RELATING TO CIRCUMSTANCES AND ACTIVITIES REQUIRING A CERTIFICATE OF NEED (CON), SO AS TO FURTHER SPECIFY HEALTH CARE FACILITY EXPENDITURES REQUIRING A CON AND TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 44-7-220, AS AMENDED, RELATING TO THE APPELLATE REVIEW OF CERTIFICATE OF NEED DECISIONS, SO AS TO PROVIDE FOR ATTORNEY FEES AND COSTS IN CERTAIN CIRCUMSTANCES AND TO DEFINE “FRIVOLOUS APPEAL”; TO AMEND SECTION 13-7-10, RELATING TO THE DEFINITION OF TERMS USED IN THE ATOMIC ENERGY AND RADIATION CONTROL ACT, SO AS TO REVISE THE DEFINITION OF “NONIONIZING RADIATION”; TO AMEND SECTION 13-7-45, AS AMENDED, RELATING TO THE COLLECTION OF FEES FOR LICENSING, REGISTRATION, AND CERTIFICATION OF USERS OF THE SOURCES OF IONIZING RADIATION AND THE USE OF THESE FEES, SO AS TO PROVIDE THAT ACCREDITATION OR CERTIFICATION IS A REQUIREMENT OF APPLICATION AND REGISTRATION OF MAGNETIC RESONANCE IMAGING EQUIPMENT AND COMPUTED TOMOGRAPHY EQUIPMENT AND THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL DETERMINE THE ACCREDITATION OR CERTIFICATION AGENCIES AND TO PROVIDE THAT THE DEPARTMENT SHALL ESTABLISH REGISTRATION FEES FOR RADIOFREQUENCY RADIATION WITHIN MAGNETIC RESONANCE IMAGING DEVICES USED TO OBTAIN HUMAN BODY IMAGES.

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

S. 569 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “COMPETITIVE INSURANCE ACT” BY AMENDING SECTION 38-3-110, RELATING TO DUTIES OF THE CHIEF INSURANCE COMMISSIONER, TO PROVIDE THAT THE DIRECTOR MUST ENGAGE IN EFFORTS TO PROVIDE MARKET ASSISTANCE AND PROMOTE CONSUMER EDUCATION TO COASTAL RESIDENTIAL PROPERTY INSURANCE CONSUMERS, AND THE DIRECTOR MUST SUBMIT A REPORT TO THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE CHAIRMAN OF THE SENATE BANKING AND INSURANCE COMMITTEE, AND THE CHAIRMAN OF THE HOUSE LABOR, COMMERCE AND INDUSTRY COMMITTEE BY NO LATER THAN JANUARY THIRTY-FIRST OF EACH YEAR REGARDING THE STATUS OF THE COASTAL PROPERTY INSURANCE MARKET; TO AMEND SECTION 38-7-200, RELATING TO CREDITS AGAINST PREMIUM TAX, TO DEFINE ESSENTIAL TERMS, AND TO PROVIDE THAT INSURERS MAY BE ELIGIBLE TO RECEIVE A PREMIUM TAX CREDIT AGAINST THE PREMIUM TAX IMPOSED BY SECTION 38-7-20 ON FULL COVERAGE POLICIES WRITTEN OUTSIDE OF THE COASTAL AREA TO REDUCE THE INSURANCE PREMIUM TAX LEVIED TO ONE PERCENT OF THE TOTAL PREMIUMS WRITTEN ON FULL COVERAGE POLICIES OUTSIDE OF THE COASTAL AREA, AND THE DIRECTOR OR HIS DESIGNEE SHALL DEVELOP PROCEDURES TO BE USED IN IMPLEMENTING THIS TAX CREDIT; TO AMEND SECTION 38-75-485, RELATING TO THE IMPLEMENTATION OF THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM BY THE DEPARTMENT, TO PROVIDE THAT ONE PERCENT OF THE PREMIUM TAXES DUE TO THIS STATE BY BROKERS PLACING PROPERTY INSURANCE WITHIN THE ELIGIBLE SURPLUS LINES MARKET AND TWO PERCENT OF THE PREMIUM TAXES COLLECTED ANNUALLY AND REMITTED TO THE DEPARTMENT BY INSURERS LICENSED TO DO BUSINESS IN THIS STATE; AND TO AMEND SECTION 38-75-755, RELATING TO NOTIFICATION OF APPLICANTS OR RENEWING POLICYHOLDERS OF AVAILABLE CREDITS, DISCOUNTS, AND DEDUCTIONS, TO PROVIDE THAT ALL INSURERS, AT THE ISSUANCE OF A NEW POLICY AND AT EACH RENEWAL SHALL NOTIFY THE APPLICANT OR POLICYHOLDER OF A PERSONAL LINES RESIDENTIAL PROPERTY INSURANCE POLICY OF CERTAIN DISCLOSURES, AND THE DIRECTOR OR HIS DESIGNEE SHALL PRESCRIBE THE FORM AND MANNER FOR INSURER NOTICES OR DISCLOSURES, AND ANY DISCLOSURE SHALL BE FOR INFORMATIONAL PURPOSES ONLY AND SHALL NOT AMEND, EXTEND, OR ALTER COVERAGE PROVIDED IN A POLICY.

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

H. 3061 -- Reps. McCoy, M. S. McLeod, Stavrinakis and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-95 SO AS TO REQUIRE THE DEPARTMENT OF EDUCATION TO DEVELOP AND DISTRIBUTE MODEL POLICIES CONCERNING THE NATURE AND RISK OF CONCUSSIONS SUSTAINED BY STUDENT ATHLETES, TO REQUIRE EACH LOCAL SCHOOL DISTRICT TO DEVELOP ITS OWN POLICY, TO REQUIRE THE REVIEW OF THE POLICY BY STUDENT ATHLETES AND THEIR PARENTS OR GUARDIANS, TO REQUIRE THE REMOVAL FROM PLAY AND MEDICAL EVALUATION OF A STUDENT ATHLETE BELIEVED TO HAVE SUSTAINED A CONCUSSION DURING PLAY, TO ALLOW FOR THE EVALUATION TO BE UNDERTAKEN BY A VOLUNTEER HEALTH CARE PROVIDER, AND TO PROVIDE THAT LOCAL SCHOOL DISTRICTS ARE NOT REQUIRED TO ENFORCE THE PROVISIONS OF THIS SECTION.

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

H. 3086 -- Reps. Daning, J. E. Smith, Crosby, R. L. Brown, M. S. McLeod, Taylor, J. R. Smith, Wells, Hixon, Rivers and Gilliard: A BILL TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN-STATE TUITION RATES.

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

H. 3091 -- Reps. Henderson, Huggins, Ballentine and W. J. McLeod: A BILL TO AMEND SECTION 33-56-55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PARENT-TEACHER ASSOCIATIONS AND LOCAL CHAMBERS OF COMMERCE BEING EXEMPT FROM THE PROVISIONS OF THE SOLICITATION OF CHARITABLE FUNDS ACT UNDER CERTAIN CONDITIONS, SO AS TO PROVIDE THAT THESE PROVISIONS ALSO DO NOT APPLY TO AN ATHLETIC, BAND, OR OTHER EXTRACURRICULAR ACTIVITY BOOSTER CLUB OR ORGANIZATION AFFILIATED WITH A K-12 SCHOOL IF THE ORGANIZATION IS A 501(c)(3) TAX-EXEMPT ENTITY PROPERTY FILING ALL FEDERAL AND STATE REPORTING FORMS REQUIRED OF THESE ORGANIZATIONS, INCLUDING FORM 990.

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

H. 3367 -- Reps. J. E. Smith and Mitchell: A BILL TO AMEND SECTION 33-56-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA SOLICITATION OF CHARITABLE FUNDS ACT, SO AS TO REVISE SPECIFIC DEFINITIONS; TO AMEND SECTION 33-56-60, RELATING TO CERTAIN FILING REQUIREMENTS, SO AS TO FURTHER PROVIDE FOR WHICH CHARITABLE ORGANIZATIONS ARE REQUIRED TO FILE AND THE APPLICABLE FILING REQUIREMENTS; TO AMEND SECTION 33-56-70, RELATING TO CONTRACTS WITH PROFESSIONAL SOLICITORS REQUIRED TO BE FILED WITH THE SECRETARY OF STATE, SO AS TO PROVIDE FOR ADDITIONAL FILING INFORMATION AND TO FURTHER PROVIDE WHEN A PROFESSIONAL SOLICITOR, COMMERCIAL CO-VENTURER, OR PROFESSIONAL FUNDRAISING COUNSEL MAY BEGIN PROVIDING OR CONTINUE PROVIDING SOLICITATIONS AND SERVICES IN THIS STATE; TO AMEND SECTION 33-56-110, RELATING TO REGISTRATION OF CERTAIN PERSONS, SO AS TO REVISE THE PROVISIONS OF THE SECTION IN REGARD TO THE REQUIREMENTS OF AND PROCEDURES FOR REGISTRATION, INCLUDING THE SANCTIONS OR PENALTIES FOR NONCOMPLIANCE OR VIOLATION; AND TO AMEND SECTION 33-56-120, RELATING TO PROHIBITED MISREPRESENTATIONS, SO AS TO CLARIFY A REFERENCE.

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

H. 3540 -- Reps. Harrell, J. E. Smith, Bales, Hosey, Cobb-Hunter, Bannister, J. R. Smith, Patrick, Brannon, Erickson, Taylor, Huggins, Kennedy, Ballentine, Bernstein, Sellers, Williams, Jefferson, M. S. McLeod, Atwater, Bowers, R. L. Brown, Cole, Douglas, George, Hixon, Long, McCoy, Mitchell, Pitts, Pope, G. R. Smith, Tallon, Wood, Weeks, Knight and Hart: A BILL TO AMEND SECTION 1-3-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE ADJUTANT GENERAL TO THE LIST OF OFFICERS OR ENTITIES THE GOVERNING BOARD OF WHICH MAY BE REMOVED BY THE GOVERNOR ONLY FOR CERTAIN REASONS CONSTITUTING CAUSE; TO AMEND SECTION 25-1-320, RELATING TO THE STATE ADJUTANT GENERAL, SO AS TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE 2014 GENERAL ELECTION, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR-YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY THAT FOLLOWS THE GENERAL ELECTION THAT MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS ACT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO ESTABLISH CERTAIN QUALIFICATIONS FOR THE OFFICE OF ADJUTANT GENERAL; TO AMEND SECTION 25-1-340, AS AMENDED, RELATING TO VACANCIES IN THE OFFICE OF ADJUTANT GENERAL, SO AS TO DELETE A REFERENCE TO THE ELIGIBILITY REQUIREMENTS OF CONSTITUTIONAL OFFICERS; AND TO PROVIDE THAT THE ABOVE PROVISIONS ARE EFFECTIVE UPON THE RATIFICATION OF AMENDMENTS TO SECTION 7, ARTICLE VI, AND SECTION 4, ARTICLE XIII OF THE CONSTITUTION OF THIS STATE DELETING THE REQUIREMENT THAT THE STATE ADJUTANT GENERAL BE ELECTED BY THE QUALIFIED ELECTORS OF THIS STATE.

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

H. 3541 -- Reps. Harrell, J. E. Smith, Bales, Williams, Bannister, J. R. Smith, Patrick, Brannon, Erickson, Huggins, Kennedy, Ballentine, M. S. McLeod, Bernstein, Atwater, Cole, Funderburk, George, Hixon, Long, McCoy, W. J. McLeod, Pitts, Pope, G. R. Smith, Tallon, Taylor, Wood and Knight: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE ADJUTANT GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED; AND TO AMEND SECTION 4, ARTICLE XIII, RELATING TO THE ADJUTANT AND INSPECTOR GENERAL, SO AS TO DELETE AN OBSOLETE REFERENCE TO INSPECTOR GENERAL, TO MAKE A CONFORMING CHANGE TO THE RANK OF THE ADJUTANT GENERAL, TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS AMENDMENT, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR-YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY FOLLOWING THE GENERAL ELECTION, WHICH MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS AMENDMENT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE ADJUTANT GENERAL MAY BE REMOVED FROM OFFICE.

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

H. 3554 -- Reps. Cole, Forrester, G. M. Smith, Stavrinakis, Herbkersman and Merrill: A BILL TO AMEND SECTION 61-4-1515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SAMPLES AND SALES OF BEER AT BREWERIES, SO AS TO SPECIFY THAT FOURTEEN PERCENT ALCOHOL BY WEIGHT IS THE MAXIMUM THAT MAY BE OFFERED FOR ON-PREMISES CONSUMPTION, TO ALLOW FOR THE SALE OF SIXTY-FOUR OUNCES OF BEER TO A CONSUMER EVERY TWENTY-FOUR HOURS, TO PROVIDE THE BEER MUST BE SOLD AT THE APPROXIMATE RETAIL PRICE, TO PROVIDE THAT APPROPRIATE TAXES MUST BE REMITTED, AND TO CLARIFY THAT A CERTAIN PROVISION APPLIES TO OFF-PREMISES CONSUMPTION.

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

H. 3766 -- Reps. J. E. Smith, Sottile, Harrell and Limehouse: A JOINT RESOLUTION TO DIRECT A TRANSFER TO REPLENISH THE ACCOUNTS THAT WERE USED TO FUND EMERGENCY REPAIRS TO THE USS LAFFEY; TO GRANT THE PATRIOTS POINT DEVELOPMENT AUTHORITY A THREE-YEAR PERIOD, BEGINNING ON MAY 1, 2014, DURING WHICH IT SHALL MAKE INTEREST-ONLY PAYMENTS ON THE AMOUNT USED TO REPLENISH THE ORIGINAL SOURCE ACCOUNTS AT AN INTEREST RATE AND TERMS TO BE DETERMINED BY THE OFFICE OF THE STATE TREASURER; AND BEGINNING MAY 1, 2017, TO REQUIRE THE PATRIOTS POINT DEVELOPMENT AUTHORITY TO COMMENCE ANNUAL PAYMENTS OF $400,000 UNTIL MAY 1, 2028, AT WHICH TIME A FINAL PAYMENT OF $6,068,867.72 SHALL BECOME DUE AND PAYABLE.

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

H. 3791 -- Reps. Gagnon and Gambrell: A BILL TO AUTHORIZE THE STARR-IVA WATER AND SEWER DISTRICT IN ANDERSON COUNTY TO PROVIDE WATER SERVICE TO A SPECIFIED AREA OF ABBEVILLE COUNTY, UPON THE CONSENT OF THE GOVERNING BODY OF ABBEVILLE COUNTY, TO SOLVE A CRITICAL WATER SERVICE PROBLEM.

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

H. 3844 -- Reps. Huggins, Ballentine, W. J. McLeod, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, 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, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE CHAPIN GARDEN CLUB FOR ITS OUTSTANDING HISTORY AND VOLUNTEER WORK IN THE CHAPIN COMMUNITY AND TO CONGRATULATE MARY LAFOND, CLUB PRESIDENT, AND THE CLUB’S MEMBERS UPON THE OCCASION OF THEIR SEVENTY-FIFTH ANNIVERSARY.

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

H. 3851 -- Reps. Funderburk, Lucas, Bales, G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, 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, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR KERSHAWHEALTH FOR ONE HUNDRED YEARS OF CARING FOR PATIENTS IN KERSHAW COUNTY AND TO CELEBRATE WITH THE KERSHAW COMMUNITY UPON THE OCCASION OF THE HOSPITAL’S CENTENNIAL ANNIVERSARY.

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

**REPORTS OF STANDING COMMITTEES**

Senator PEELER from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 117 -- Senators Hayes, Courson, O’Dell, Verdin and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑66‑75 SO AS TO REQUIRE A HEALTH CARE PROVIDER TO GIVE A PATIENT AN OPPORTUNITY TO AUTHORIZE DISCLOSURE OF CERTAIN INFORMATION TO DESIGNATED FAMILY MEMBERS AND OTHER INDIVIDUALS AND TO AUTHORIZE THE INVOLVEMENT OF THESE FAMILY MEMBERS AND OTHER INDIVIDUALS IN THE TREATMENT OF THE PATIENT; TO SPECIFY WHEN THE OPPORTUNITY TO SIGN AN AUTHORIZATION MUST BE PROVIDED TO A PATIENT AND TO SPECIFY THE CONTENTS OF THE AUTHORIZATION; AND TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR GOOD FAITH DISCLOSURE OF INFORMATION; AND TO AMEND SECTION 44‑66‑20, AS AMENDED, RELATING TO DEFINITIONS IN THE ADULT HEALTH CARE CONSENT ACT, SO AS TO DEFINE “PATIENT” AND “TREATMENT” AND TO AMEND OTHER DEFINITIONS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 301 -- Senators Bennett, Campbell and Ford: A BILL TO AMEND SECTION 12‑43‑220 OF THE 1976 CODE, RELATING TO THE CLASSIFICATION OF PROPERTY FOR PURPOSES OF PROPERTY TAX AND THE ASSESSMENT RATIOS APPLICABLE FOR EACH CLASS OF PROPERTY, TO PROVIDE THAT RESIDENTIAL PROPERTY OWNED BY AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES, WHO IS A LEGAL RESIDENT OF THIS STATE, ELIGIBLE FOR AND RECEIVING THE SPECIAL FOUR PERCENT ASSESSMENT RATIO ALLOWED OWNER‑OCCUPIED RESIDENTIAL PROPERTY RETAINS THAT ASSESSMENT RATIO AND EXEMPTIONS BASED ON THAT CLASSIFICATION FOR SO LONG AS THE OWNER REMAINS ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES REGARDLESS OF DUTY STATION AND DOES NOT CLAIM THE SPECIAL FOUR PERCENT ASSESSMENT RATIO ON ANY OTHER RESIDENTIAL PROPERTY OWNED BY THE SERVICE MEMBER OR A MEMBER OF HIS HOUSEHOLD IN THIS STATE AND TO PROVIDE THAT THIS RETAINING OF THE SPECIAL FOUR PERCENT ASSESSMENT RATIO MUST BE CONSTRUED AS A PROPERTY TAX EXEMPTION.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 341 -- Senators Alexander, Reese, Fair, Lourie, Cromer, L. Martin, Campbell, Shealy and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “EMERSON ROSE ACT” BY ADDING SECTION 44‑37‑70 SO AS TO REQUIRE EACH BIRTHING FACILITY LICENSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM A PULSE OXIMETRY SCREENING ON EVERY NEWBORN IN ITS CARE, WHEN THE BABY IS TWENTY‑FOUR TO FORTY‑EIGHT HOURS OF AGE, OR AS LATE AS POSSIBLE IF THE BABY IS DISCHARGED FROM THE HOSPITAL BEFORE REACHING TWENTY‑FOUR HOURS OF AGE.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 406 -- Senators Peeler and Ford: A BILL TO AMEND SECTION 44‑53‑190, AS AMENDED, SECTIONS 44‑53‑210, 44‑53‑230, 44‑53‑250, AND 44‑53‑270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, RESPECTIVELY, TO DRUGS DESIGNATED AS SCHEDULE I, II, III, IV, AND V CONTROLLED SUBSTANCES AND SECTION 44‑53‑1510, RELATING TO DRUGS DESIGNATED AS ANABOLIC STEROIDS, ALL SO AS TO ALPHABETIZE THESE LISTINGS AND TO ADD DRUGS TO THESE DESIGNATIONS TO CONFORM TO FEDERAL DRUG DESIGNATIONS AND DESIGNATIONS OF ADJACENT STATES IN ORDER TO ENHANCE AND IMPROVE ILLICIT DRUG ENFORCEMENT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 437 -- Senators Cleary, Reese, Rankin, Campsen, Hembree, Davis, McGill, Thurmond, Campbell, Cromer and Ford: A BILL TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VALUATION AND CLASSIFICATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE THAT THE OWNER‑OCCUPANT OF RESIDENTIAL PROPERTY QUALIFIES FOR THE FOUR PERCENT ASSESSMENT RATIO ALLOWED OWNER‑OCCUPIED RESIDENTIAL PROPERTY, IF THE OWNER IS OTHERWISE QUALIFIED AND THE RESIDENCE IS NOT RENTED FOR MORE THAN ONE HUNDRED DAYS A YEAR, AND TO DELETE OTHER REFERENCES TO RENTAL OF THESE RESIDENCES; AND TO AMEND SECTION 12‑54‑240, RELATING TO DISCLOSURE OF RECORDS, REPORTS, AND RETURNS WITH THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE VERIFICATION THAT THE FEDERAL SCHEDULE E CONFORMS WITH THE SAME DOCUMENT REQUIRED BY A COUNTY ASSESSOR IS NOT PROHIBITED.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 438 -- Senators L. Martin, Campbell and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑15‑70 SO AS TO PROVIDE FOR THE FAIR AND OPEN COMPETITION IN GOVERNMENTAL CONTRACTS BY STIPULATING THAT STATE OR LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES, IN REGARD TO A PUBLIC BUILDING, MAY NOT REQUIRE OR PROHIBIT A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FROM ENTERING INTO OR ADHERING TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT AND MAY NOT OTHERWISE DISCRIMINATE AGAINST A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FOR BECOMING OR REFUSING TO BECOME A SIGNATORY TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT, TO PROVIDE THAT STATE AND LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES SHALL NOT AWARD A GRANT, TAX ABATEMENT, OR TAX CREDIT CONDITIONED UPON THE INCLUSION OF SUCH AGREEMENTS IN THE AWARD, AND TO PROVIDE EXCEPTIONS TO AND EXEMPTIONS FROM THESE PROVISIONS.

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out S. 479 favorable:

S. 479 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2013.

**Poll of the Invitations Committee**

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

**AYES**

Bryant                                 Alexander                          McGill

Reese                                  Ford                                   Verdin

Campsen                             Cromer                              Malloy

Cleary                                 Johnson

**Total--11**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out S. 493 favorable:

S. 493 -- Senator Sheheen: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, APRIL 11, 2013, AS “CITY OF CAMDEN DAY” IN SOUTH CAROLINA.

**Poll of the Invitations Committee**

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

**AYES**

Bryant                                 Alexander                          McGill

Reese                                  Ford                                   Verdin

Campsen                             Cromer                              Malloy

Cleary                                 Johnson

**Total--11**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a favorable report on:

S. 498 -- Senators Bennett and Hutto: A SENATE RESOLUTION TO DECLARE MAY 2013 AS “BLADDER CANCER AWARENESS MONTH” IN SOUTH CAROLINA, TO PROMOTE UNDERSTANDING OF THE GROWING RISK OF BLADDER CANCER IN THE UNITED STATES, TO ENCOURAGE RESEARCH IN THE MEDICAL COMMUNITY TO IDENTIFY THE CAUSES AND DEVELOP A CURE FOR THE DISEASE, AND TO COMMEND BOY SCOUT TROOP 2 FROM SUMMERVILLE FOR ITS EFFORTS IN THIS ENDEAVOR.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a favorable report on:

S. 499 -- Senator Shealy: A CONCURRENT RESOLUTION TO EXPRESS THE SOUTH CAROLINA GENERAL ASSEMBLY’S AND THE STATE OF SOUTH CAROLINA’S SUPPORT FOR ORGAN, EYE, AND TISSUE DONATION AND TO DESIGNATE THURSDAY, APRIL 4, 2013, AS “ORGAN DONOR REGISTRATION DAY” IN SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3047 -- Reps. Hardwick and Sottile: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑5‑581 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO GIG FOR FLOUNDER IN SALT WATERS DURING DAYLIGHT HOURS, TO DEFINE THE TERM “DAYLIGHT HOURS”, AND TO PROVIDE A PENALTY.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 3426 -- Reps. Thayer, Bowen and Putnam: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE WILLIAMSTON NATIONAL GUARD ARMORY TO THE TOWN OF WILLIAMSTON.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3571 -- Reps. Barfield and Hardee: A BILL TO AMEND SECTION 50‑13‑665, AS AMENDED, RELATING TO BAIT THAT MAY BE USED WITH TROTLINES, SET HOOKS, AND JUGS, SO AS TO REVISE THE SIZE OF HOOKS THAT MAY BE USED TO FISH ALONG CERTAIN RIVERS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3579 -- Rep. Barfield: A BILL TO AMEND SECTION 50‑13‑325, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAKING OF NONGAME FISH IN GILL NETS, SO AS TO REDUCE THE MINIMUM DISTANCE REQUIRED BETWEEN NETS PLACED ON THE LITTLE PEE DEE RIVER UPSTREAM OF PUNCH BOWL LANDING.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 3586 -- Rep. George: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE MULLINS NATIONAL GUARD ARMORY TO THE CITY OF MULLINS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3615 -- Reps. Goldfinch and Hardwick: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT LEGISLATION THAT GIVES THE STATE OF SOUTH CAROLINA AUTHORITY TO MANAGE ITS STOCK OF BLACK SEA BASS (CENTROPRISTIS STRIATA) IN BOTH STATE AND FEDERAL WATERS.

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out H. 3714 favorable:

H. 3714 -- Rep. Delleney: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 14, 2013, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

**Poll of the Invitations Committee**

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

**AYES**

Bryant                                 Alexander                          McGill

Reese                                  Ford                                   Verdin

Campsen                             Cromer                              Malloy

Cleary                                 Johnson

**Total--11**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a favorable report on:

H. 3749 -- Reps. Horne, Harrell, Murphy and Erickson: A CONCURRENT RESOLUTION TO DECLARE MAY 2013 AS “BLADDER CANCER AWARENESS MONTH” IN SOUTH CAROLINA, TO PROMOTE UNDERSTANDING OF THE GROWING RISK OF BLADDER CANCER IN THE UNITED STATES, TO ENCOURAGE RESEARCH IN THE MEDICAL COMMUNITY TO IDENTIFY THE CAUSES AND DEVELOP A CURE FOR THE DISEASE, AND TO COMMEND BOY SCOUT TROOP 2 FROM SUMMERVILLE FOR ITS EFFORTS IN THIS ENDEAVOR.

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out H. 3800 favorable:

H. 3800 -- Reps. Huggins and Ballentine: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE COLUMBIA RADIO PERSONALITY JONATHON RUSH ON THE TWENTY‑FIFTH ANNIVERSARY OF HIS RADIO PROGRAM, *THE MORNING RUSH*, TO COMMEND HIM FOR THE MANY CONTRIBUTIONS HE HAS MADE TO THE COLUMBIA‑AREA METROPOLITAN RADIO MARKET, AND TO DECLARE MARCH 21, 2013, AS JONATHON RUSH DAY IN SOUTH CAROLINA.

**Poll of the Invitations Committee**

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

**AYES**

Bryant                                 Alexander                          McGill

Reese                                  Ford                                   Verdin

Campsen                             Cromer                              Malloy

Cleary                                 Johnson

**Total--11**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

**Appointments Reported**

Senator PEELER from the Committee on Medical Affairs submitted a favorable report on:

Initial Appointment, South Carolina Mental Health Commission, with the term to commence July 31, 2008, and to expire July 31, 2013

5th Congressional District:

Beverly Cardwell, Post Office Box 37764, Rock Hill, SC 29732

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2013, and to expire July 31, 2018

5th Congressional District:

Beverly Cardwell, Post Office Box 37764, Rock Hill, SC 29732

Received as information.

**Motion Adopted**

On motion of Senator O’DELL, with unanimous consent, Senators PEELER, FAIR, REESE, PINCKNEY, MATTHEWS and O’DELL were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

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

**THIRD READING BILL**

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

S. 295 -- Senators Fair, Cromer, Verdin and Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑11‑2028 SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY; TO REQUIRE A PUBLIC HEARING TO BE CONDUCTED BEFORE TAKING A SUPERMAJORITY VOTE OF ITS GOVERNING BODY AND THE GOVERNING BODY OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6‑11‑2140; TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY; AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A SPECIAL PURPOSE DISTRICT THAT PROVIDES BOTH RECREATIONAL AND AGING SERVICES.

**READ THE SECOND TIME**

S. 539 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OCCUPATIONAL THERAPY BOARD, RELATING TO REQUIREMENTS OF LICENSURE FOR OCCUPATIONAL THERAPISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4328, 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 31; Nays 7**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Ford Hayes

Hembree Hutto Johnson

Leatherman Lourie Malloy

*Martin, Larry* Massey Matthews

McElveen Nicholson Peeler

Reese Setzler Shealy

Sheheen Turner Williams

Young

**Total--31**

**NAYS**

Bright Bryant Corbin

Davis *Martin, Shane* Thurmond

Verdin

**Total--7**

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

**READ THE SECOND TIME**

S. 541 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO CODE OF ETHICS, INTERPRETATION OF STANDARDS, AND REPORTING OF DISCIPLINARY ACTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4327, 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 37; Nays 3**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Fair

Ford Hayes Hembree

Hutto Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry* Massey McElveen

McGill Nicholson O’Dell

Peeler Reese Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

Bryant Davis *Martin, Shane*

**Total--3**

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

**READ THE SECOND TIME**

S. 542 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL BUILDING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL FUEL GAS CODE, AND NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4320, 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 32; Nays 9**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Fair

Ford Hayes Hembree

Hutto Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Reese

Setzler Sheheen Turner

Williams Young

**Total--32**

**NAYS**

Bright Bryant Corbin

Cromer Davis *Martin, Shane*

Shealy Thurmond Verdin

**Total--9**

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

**READ THE SECOND TIME**

S. 176 -- Senator Young: A BILL TO AMEND SECTION 22‑3‑1000 OF THE 1976 CODE, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

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 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Hutto

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 460 -- Senator Hayes: A BILL TO AMEND SECTION 38‑45‑90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTY OF DUE CARE THAT A SURPLUS LINES INSURANCE BROKER MUST EXERCISE WHEN PLACING BUSINESS WITH NONADMITTED INSURERS, SO AS TO EXEMPT THOSE BROKERS FROM THIS REQUIREMENT WHEN SEEKING TO PROCURE OR PLACE NONADMITTED INSURANCE FOR AN EXEMPT COMMERCIAL PURCHASER IN CERTAIN CIRCUMSTANCES.

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

Senator CROMER explained the Bill.

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

**Ayes 39; Nays 1**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Ford Hayes

Hembree Hutto Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Rankin

Reese Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Bryant

**Total--1**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 284 -- Senators Hutto and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑3‑2100 SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESS ESTABLISHMENTS, PROVIDE THE LANGUAGE FOR THE POSTING, AND PROVIDE A PENALTY FOR FAILURE TO POST.

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

The Committee on Judiciary proposed the following amendment (JUD0284.001), which was adopted:

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

/ SECTION 1. Section 14‑7‑1630(A) of the 1976 Code is amended to read:

“(A) The jurisdiction of a state grand jury impaneled pursuant to ~~the provisions of~~ this article extends throughout the State. The subject matter jurisdiction of a state grand jury in all cases is limited to the following offenses:

(1) a crime involving narcotics, dangerous drugs, or controlled substances, or a crime arising out of or in connection with a crime involving narcotics, dangerous drugs, or controlled substances, including, but not limited to, money laundering as specified in Section 44‑53‑475, obstruction of justice, perjury or subornation of perjury, or any attempt, aiding, abetting, solicitation, or conspiracy to commit one of the aforementioned crimes, if the crime is of a multi‑county nature or has transpired or is transpiring or has significance in more than one county of this State;

(2) a crime involving criminal gang activity or a pattern of criminal gang activity pursuant to ~~the provisions of~~ Article 3, ~~of~~ Chapter 8, Title 16;

(3) a crime, statutory, common law or other, involving public corruption as defined in Section 14‑7‑1615, a crime, statutory, common law or other, arising out of or in connection with a crime involving public corruption as defined in Section 14‑7‑1615, and any attempt, aiding, abetting, solicitation, or conspiracy to commit a crime, statutory, common law or other, involving public corruption as defined in Section 14‑7‑1615;

(4) a crime involving the election laws, including, but not limited to, those named offenses ~~as~~ specified in Title 7, or a common law crime involving the election laws if not superseded, or a crime arising out of or in connection with the election laws, or any attempt, aiding, abetting, solicitation, or conspiracy to commit a crime involving the election laws;

(5) a crime involving computer crimes, pursuant to Chapter 16, Title 16, or a conspiracy or solicitation to commit a crime involving computer crimes;

(6) a crime involving terrorism, or a conspiracy or solicitation to commit a crime involving terrorism. Terrorism includes an activity that:

(a) involves an act dangerous to human life that is a violation of the criminal laws of this State;

(b) appears to be intended to:

(i) intimidate or coerce a civilian population;

(ii) influence the policy of a government by intimidation or coercion; or

(iii) affect the conduct of a government by mass destruction, assassination, or kidnapping; and

(c) occurs primarily within the territorial jurisdiction of this State;

(7) a crime involving a violation of Chapter 1, Title 35 of the Uniform Securities Act, or a crime related to securities fraud or a violation of the securities laws;

(8) a crime involving obscenity, including, but not limited to, a crime as provided in Article 3, Chapter 15, Title 16, or any attempt, aiding, abetting, solicitation, or conspiracy to commit a crime involving obscenity;

(9) a crime involving the knowing and wilful making of, aiding and abetting in the making of, or soliciting or conspiring to make a false, fictitious, or fraudulent statement or representation in an affidavit regarding an alien’s lawful presence in the United States, as defined by law, if the number of violations exceeds twenty or if the public benefit received by a person from a violation or combination of violations exceeds twenty thousand dollars;

(10) a crime involving financial identity fraud or identity fraud involving the false, fictitious, or fraudulent creation or use of documents used in an immigration matter as defined in Section 16‑13‑525, if the number of violations exceeds twenty, or if the value of the ascertainable loss of money or property suffered by a person or persons from a violation or combination of violations exceeds twenty thousand dollars;

(11) a crime involving the knowing and wilful making of, aiding or abetting in the making of, or soliciting or conspiring to make a false, fictitious, or fraudulent statement or representation in a document prepared or executed as part of the provision of immigration assistance services in an immigration matter, as defined by law, if the number of violations exceeds twenty, or if a benefit received by a person from a violation or combination of violations exceeds twenty thousand dollars; ~~and~~

(12) a knowing and wilful crime involving actual and substantial harm to the water, ambient air, soil or land, or both soil and land. This crime includes a knowing and wilful violation of the Pollution Control Act, the Atomic Energy and Radiation Control Act, the State Underground Petroleum Environmental Response Bank Act, the State Safe Drinking Water Act, the Hazardous Waste Management Act, the Infectious Waste Management Act, the Solid Waste Policy and Management Act, the Erosion and Sediment Control Act, the South Carolina Mining Act, and the Coastal Zone Management Act, or a knowing and wilful crime arising out of or in connection with environmental laws, or any attempt, aiding, abetting, solicitation, or conspiracy to commit a knowing and wilful crime involving the environment if the anticipated actual damages, including, but not limited to, the cost of remediation, ~~are~~ is two million dollars or more, as certified by an independent environmental engineer who must be contracted by the Department of Health and Environmental Control. If the knowing and wilful crime is a violation of federal law, ~~then~~ a conviction or an acquittal pursuant to federal law for the same act is a bar to the impaneling of a state grand jury pursuant to this section~~.~~; and

(13) a crime involving or relating to the offense of trafficking in persons, as defined in Section 16‑3‑2020, when a victim is trafficked in more than one county or a trafficker commits the offense of trafficking in persons in more than one county.”

SECTION 2. Article 19, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16‑3‑2100. (A) The following establishments are required to post the information contained in subsection (B) regarding the National Human Trafficking Resource Center Hotline:

(1) an establishment which has been declared a nuisance for prostitution pursuant to Chapter 43, Title 15;

(2) an adult business, including a nightclub, bar, restaurant, or another similar establishment in which a person appears in a state of sexually explicit nudity, as defined in Section 16‑15‑375, or semi‑nudity, as defined in Section 57‑25‑120; and

(3) an airport, train station, and bus station.

(B) The information must be posted in a prominent location conspicuous to the public at the entrance of the establishment where posters and notices are customarily posted on a poster no smaller than eight and one-half by eleven inches in size and must state the following:

‘If you or someone you know is being forced to engage in any activity and cannot leave, whether it is commercial sex, housework, farmwork, or any other activity, call the National Human Trafficking Resource Center Hotline at 1‑888‑373‑7888 to access help and services. Victims of human trafficking are protected under federal law and the laws of South Carolina. The hotline is:

(1) available twenty‑four hours a day, seven days a week;

(2) operated by a nonprofit, nongovernmental organization;

(3) anonymous and confidential;

(4) accessible in one hundred seventy languages;

(5) able to provide help, referral to services, training, and general information.’

(C) The Department of Revenue and the Department of Transportation, as appropriate depending on the regulatory control or authority the respective department exercises over the establishment, are directed to provide each establishment with the notice required to be posted by this section. The departments shall post on the departments’ websites a sample of the notice required to be posted which must be accessible for download.

(D) The Department of Revenue or the Department of Transportation, as appropriate, is authorized to issue a written warning to an establishment which fails to post the required notice provided in this section and may assess a fine of not more than fifty dollars for each subsequent violation. Each day that the establishment remains in violation of this section is considered a separate and distinct violation and the establishment may be fined accordingly.

(E) The Department of Revenue and Department of Transportation are directed to collaborate on the design of the required notice to be posted and shall have the design finalized no later than sixty days after the effective date of this section. Establishments required to post the notice must be in compliance no later than six months after the effective date of this section.

(F) This section does not apply to establishments providing entertainment in theatres, concert halls, art centers, museums, or similar establishments that are devoted primarily to the arts or theatrical performances when the performances presented are expressing matters of serious literary, artistic, scientific, or political value.”

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO 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 Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Hayes

Hembree Hutto Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O’Dell Peeler

Rankin Reese Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 296 -- Senators Jackson, McElveen, Coleman, Ford, Campbell, Young, Allen, Pinckney, Cleary, Williams, Cromer, Nicholson, Johnson, Fair, McGill, Bright, Verdin, Gregory, Setzler, Shealy, Matthews, Turner, Thurmond, Peeler, Lourie, Leatherman, Scott and Alexander: A BILL TO AMEND SECTION 16-11-535 OF THE 1976 CODE, RELATING TO MALICIOUS INJURY TO A PLACE OF WORSHIP, TO PROVIDE THAT WHOEVER WILFULLY, UNLAWFULLY, AND MALICIOUSLY VANDALIZES, DEFACES, DAMAGES, OR DESTROYS OR ATTEMPTS TO VANDALIZE, DEFACE, DAMAGE, OR DESTROY ANY FIXTURES OR IMPROVEMENTS OF A PLACE OF WORSHIP, OR AIDS, AGREES WITH, EMPLOYS, OR CONSPIRES WITH ANY PERSON TO DO OR CAUSE TO BE DONE ANY OF THESE ACTS IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE IMPRISONED NOT LESS THAN SIX MONTHS NOR MORE THAN TEN YEARS OR FINED NOT MORE THAN TEN THOUSAND DOLLARS, OR BOTH.

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

Senator MALLOY proposed the following amendment (JUD0296.001), which was adopted:

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

/ SECTION 1. Section 16-11-535 of the 1976 Code is amended to read:

“Section 16-11-535. Whoever shall wilfully, unlawfully, and maliciously vandalize, deface, damage, or destroy or attempt to vandalize, deface, damage, or destroy any place, structure, or building of worship, including any fixtures or improvements, or aid, agree with, employ, or conspire with any person to do or cause to be done any of the acts mentioned above is guilty of a felony and, upon conviction, must be imprisoned not ~~less than six months nor~~ more than ten years or fined not more than ten thousand dollars, or both.”

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

Renumber sections to conform.

Amend title to conform.

Senator MALLOY 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 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Hutto

Jackson Johnson Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Rankin Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 405 -- Senator L. Martin: A BILL TO AMEND SECTION 1‑23‑560, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE CODE OF JUDICIAL CONDUCT TO ADMINISTRATIVE LAW JUDGES AND THE ENFORCEMENT AND ADMINISTRATION OF THESE RULES BY THE STATE ETHICS COMMISSION, SO AS TO PROVIDE INSTEAD THAT THE JUDICIAL DEPARTMENT SHALL HANDLE COMPLAINTS AGAINST ADMINISTRATIVE LAW JUDGES FOR POSSIBLE VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT IN THE SAME MANNER AS COMPLAINTS AGAINST OTHER JUDGES.

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

The Committee on Judiciary proposed the following amendment (JUD0405.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 38, in Section 1-23-560, as contained in SECTION 1, and inserting therein the following:

/ ~~Section 8‑13‑320.~~ The Commission on Judicial Conduct, under the authority of the Supreme Court, shall handle /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY 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 38; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Hutto

Jackson Johnson Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Rankin Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

Bright Bryant Campsen

**Total--3**

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

**ADOPTED**

H. 3293 -- Reps. Norman, Felder and Long: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE IN YORK COUNTY THAT CROSSES INTERSTATE HIGHWAY 77 ALONG SUTTON ROAD THE “PATRIOT LEONARD A. FARRINGTON 9/11 MEMORIAL BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS “PATRIOT LEONARD A. FARRINGTON 9/11 MEMORIAL BRIDGE”.

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

**CARRIED OVER**

H. 3620 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38‑90‑160, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF CAPTIVE INSURANCE COMPANIES FROM CERTAIN PROVISIONS OF TITLE 38, SO AS TO PROVIDE AN INDUSTRIAL INSURED CAPTIVE INSURANCE COMPANY IS SUBJECT TO CERTAIN REQUIREMENTS CONCERNING REPORTS FOR RISK‑BASED CAPITAL, ACQUISITIONS DISCLOSURE, AND ASSET DISPOSITION, AND CEDED REINSURANCE AGREEMENTS, AND TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY ELECT NOT TO TAKE REGULATORY ACTION CONCERNING RISK‑BASED CAPITAL IN SPECIFIC CIRCUMSTANCES.

Senator CROMER explained the Bill.

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

H. 3621 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38‑5‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OR SUSPENSION OF A CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE BY AN INSURER, SO AS TO REVISE PROVISIONS CONCERNING A REVOCATION OF THE LICENSEE OF A HAZARDOUS INSURER.

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

S. 334 -- Senators Leatherman, O’Dell, Bryant, Matthews, Jackson, Malloy, McGill, Fair, Coleman, Ford, Johnson, McElveen, Pinckney, Scott, Setzler, Williams, Nicholson, Allen, Lourie and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑4‑352 SO AS TO REQUIRE THE GOVERNOR TO DEVELOP A PROTECTION PLAN TO MINIMIZE THE ACTUAL AND POTENTIAL COSTS AND EFFECTS OF IDENTITY THEFT DUE TO THE CYBER SECURITY BREACH AT THE DEPARTMENT OF REVENUE BY PROVIDING IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES, TO REQUIRE THE GOVERNOR TO DEVELOP A POLICY THAT ENSURES THE SAFETY OF ALL PERSONALLY IDENTIFIABLE INFORMATION IN THE POSSESSION OF THE DEPARTMENT OF REVENUE, INCLUDING THE ENCRYPTION OF PERSONALLY IDENTIFIABLE INFORMATION, TO SET FORTH THE PROCESS BY WHICH IDENTITY THEFT PROTECTION AND RESOLUTION SERVICES ARE PROCURED, TO REQUIRE THE GOVERNOR AND THE DEPARTMENT OF REVENUE TO ATTEMPT TO MAKE ENROLLMENT IN THESE PROGRAMS AS EASY AS POSSIBLE, TO PROVIDE THAT THESE PROGRAMS MUST BE FREE OF CHARGE TO THE ELIGIBLE PERSONS, AND TO DEFINE TERMS; BY ADDING SECTION 12‑6‑1141, SO AS TO PROVIDE AN INDIVIDUAL INCOME TAX DEDUCTION FOR THE ACTUAL COSTS, BUT NOT EXCEEDING TWO HUNDRED DOLLARS FOR AN INDIVIDUAL TAXPAYER, AND NOT EXCEEDING THREE HUNDRED DOLLARS FOR A JOINT RETURN OR A RETURN CLAIMING DEPENDENTS, INCURRED BY A TAXPAYER IN THE TAXABLE YEAR TO PURCHASE IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES; BY ADDING PART 7 TO CHAPTER 6, TITLE 37 SO AS TO ESTABLISH WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS THE IDENTITY THEFT UNIT AND TO PROVIDE ITS DUTIES; BY ADDING CHAPTER 36 TO TITLE 1 SO AS TO ESTABLISH THE DEPARTMENT OF INFORMATION SECURITY, TO PROVIDE THAT THE MISSION OF THE DEPARTMENT OF INFORMATION SECURITY IS TO PROTECT THE STATE’S INFORMATION AND CYBER SECURITY INFRASTRUCTURE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INFORMATION SECURITY IS THE CHIEF INFORMATION SECURITY OFFICER OF THE STATE AND TO PROVIDE THE CHIEF INFORMATION SECURITY OFFICER IS APPOINTED BY THE GOVERNOR, AND TO DEFINE TERMS, TO ESTABLISH THE TECHNOLOGY INVESTMENT COUNCIL TO ADOPT AND ANNUALLY REVIEW A STATEWIDE TECHNOLOGY PLAN, TO PROVIDE FOR THE MEMBERSHIP OF THE COUNCIL, AND TO REQUIRE REPORTS; TO AMEND SECTION 1‑3‑240, AS AMENDED, RELATING TO OFFICERS THAT ONLY MAY BE REMOVED BY THE GOVERNOR FOR CAUSE, SO AS TO ADD THE CHIEF INFORMATION SECURITY OFFICER; TO AMEND SECTION 1‑30‑10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF INFORMATION SECURITY; AND BY ADDING CHAPTER 79 TO TITLE 2 SO AS TO CREATE THE JOINT INFORMATION SECURITY OVERSIGHT COMMITTEE TO CONDUCT A CONTINUING STUDY OF THE LAWS OF THIS STATE AFFECTING CYBER SECURITY, INCLUDING THE RECEIPT OF IMPEDIMENTS TO IMPROVED CYBER SECURITY, AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE.

On motion of Senator O’DELL, the Bill was carried over.

**AMENDMENT PROPOSED, OBJECTION**

S. 313 -- Senators Hayes, Courson, Setzler, Matthews, Lourie, Hutto, Jackson, Rankin, L. Martin, O’Dell, Malloy and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 62 TO TITLE 59 SO AS TO ESTABLISH A SCHOOL DISTRICT CHOICE PROGRAM AND OPEN ENROLLMENT PROGRAM WITHIN THE PUBLIC SCHOOL SYSTEM OF THIS STATE, TO PROVIDE FOR A VOLUNTARY PILOT TESTING OF THE PROGRAM BEFORE FULL IMPLEMENTATION, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR AN APPLICATION PROCESS FOR STUDENTS WISHING TO TRANSFER, TO PROVIDE RESPONSIBILITIES, STANDARDS, AND CRITERIA CONCERNING SENDING AND RECEIVING SCHOOLS AND SCHOOL DISTRICTS, TO PROVIDE STANDARDS OF APPROVAL, PRIORITIES FOR ACCEPTING STUDENTS AND CRITERIA FOR DENYING STUDENTS, TO PROVIDE THAT WITH CERTAIN EXCEPTIONS THE PARENT IS RESPONSIBLE FOR TRANSPORTING THE STUDENT TO SCHOOL, TO PROVIDE THAT DISTRICTS SHALL RECEIVE ONE HUNDRED PERCENT OF THE BASE STUDENT COST FROM THE STATE FOR NONRESIDENT STUDENTS ENROLLED PURSUANT TO THIS CHAPTER, TO PROVIDE THAT A STUDENT GENERALLY MAY NOT PARTICIPATE IN INTERSCHOLASTIC ATHLETIC CONTESTS AND COMPETITIONS FOR ONE YEAR AFTER HIS DATE OF ENROLLMENT, TO PROVIDE THAT A RECEIVING DISTRICT SHALL ACCEPT CERTAIN CREDITS TOWARD A STUDENT’S REQUIREMENTS FOR GRADUATION AND SHALL AWARD A DIPLOMA TO A NONRESIDENT STUDENT WHO MEETS ALL REQUIREMENTS FOR GRADUATION, TO PROVIDE THAT A SCHOOL DISTRICT MAY CONTRACT WITH CERTAIN ENTITIES FOR THE PROVISION OF SERVICES, TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION ANNUALLY SHALL SURVEY SCHOOL DISTRICTS TO DETERMINE PARTICIPATION IN THE OPEN ENROLLMENT PROGRAM AND PROVIDE CERTAIN DELETED REPORTS ON THE PROGRAM TO THE GENERAL ASSEMBLY, TO PROVIDE A DISTRICT MAY RECEIVE CERTAIN WAIVERS CONCERNING THE IMPLEMENTATION OF THIS ACT, AND TO PROVIDE THAT IMPLEMENTATION OF THIS PROGRAM EACH FISCAL YEAR IS CONTINGENT UPON THE APPROPRIATION OF ADEQUATE FUNDING BY THE GENERAL ASSEMBLY.

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

Senator BRYANT proposed the following amendment (313R001.KLB):

Amend the bill, as and if amended, page 7, after line 24 by inserting:

/ Section 59-62-55. As part of the Open Enrollment Program, each school district shall provide the means for a child who is primarily educated outside of the public school system to enroll on a course by course basis in a public school course in which the child would otherwise be eligible for enrollment if the child were enrolled in a public school. /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

Senator SHEHEEN objected to further consideration of the Bill.

**POINT OF ORDER**

S. 464 -- Senators Hayes and Malloy: A BILL TO AMEND SECTION 38‑77‑150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY UNINSURED MOTORIST PROVISION FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO INCREASE THE MINIMUM COVERAGE TO TWENTY‑FIVE THOUSAND DOLLARS.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3248 -- Reps. Rutherford, King, Loftis, Gilliard, Jefferson and Williams: A BILL TO AMEND SECTION 16-13-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINANCIAL IDENTITY FRAUD, SO AS TO ADD CONFORMING LANGUAGE CONTAINED IN FINANCIAL TRANSACTION CARD CRIME TO PROVIDE THAT IT IS NOT A DEFENSE WHEN SOME OF THE ACTS OF THE CRIME DID NOT OCCUR IN THIS STATE OR WITHIN A CITY, COUNTY, OR LOCAL JURISDICTION; AND TO AMEND SECTION 37-20-130, RELATING TO THE INITIATION OF A LAW ENFORCEMENT INVESTIGATION OF IDENTITY THEFT, SO AS TO DELETE THE LANGUAGE ALLOWING REFERRAL OF THE MATTER TO THE LAW ENFORCEMENT AGENCY WHERE THE CRIME WAS COMMITTED FOR INVESTIGATION.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 553 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE WORKERS' COMPENSATION COMMISSION, RELATING TO MEDIATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4286, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**Expression of Personal Interest**

Senator LARRY MARTIN rose for an Expression of Personal Interest.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 21, 2013, at 11:15 A.M. and the following Acts and Joint Resolutions were ratified:

(R7, S. 3) -- Senators L. Martin, Hayes, Fair and Campsen: AN ACT TO AMEND SECTION 61‑2‑180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BINGO, RAFFLES, AND OTHER SPECIAL EVENTS, SO AS TO CLARIFY THAT THIS SECTION IS NOT AN EXCEPTION OR LIMITATION TO ACTIVITIES, DEVICES, OR MACHINES THAT ARE PROHIBITED BY SECTION 12‑21‑2710 OR OTHER PROVISIONS THAT PROHIBIT GAMBLING; AND TO AMEND SECTION 61‑4‑580, RELATING TO GAME PROMOTIONS ALLOWED BY HOLDERS OF PERMITS AUTHORIZING THE SALE OF BEER OR WINE, SO AS TO CLARIFY THAT THIS SECTION DOES NOT AUTHORIZE THE USE OF AN ACTIVITY, DEVICE, OR MACHINE THAT IS PROHIBITED BY SECTION 12‑21‑2710 OR BY OTHER PROVISIONS THAT PROHIBIT GAMBLING.

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(R8, S. 304) -- Senators Shealy, Cromer and Campsen: AN ACT TO AMEND SECTION 50‑13‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING GENERAL RESTRICTIONS ON FRESHWATER FISHING, SO AS TO REVISE THE DEFINITION OF THE TERM “BAIT FISH”; TO AMEND SECTION 50‑13‑60, AS AMENDED, RELATING TO THE LAWFUL POSSESSION OF FISH, SO AS TO MAKE A TECHNICAL CHANGE TO THE PROVISION RELATING TO THE POSSESSION OF A GAME FISH; TO AMEND SECTIONS 50‑13‑200, 50‑13‑210, 50‑13‑250, 50‑13‑260, AND 50‑13‑270, ALL AS AMENDED, RELATING TO THE PROTECTION OF FRESHWATER GAME FISH, SO AS TO REVISE THE AGE OF PERSONS IN A BOAT THAT MAY USE AN UNLIMITED NUMBER OF FISHING DEVICES, TO REVISE THE NUMBER OF TROUT THAT MAY BE TAKEN ON THE LOWER REACH OF THE SALUDA RIVER, TO PROVIDE THE LEGAL LENGTH OF SMALLMOUTH BASS THAT MAY BE TAKEN FROM CERTAIN LAKES, RIVERS, AND RESERVOIRS, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 50‑13‑620, 50‑13‑625, AND 50‑13‑635, ALL AS AMENDED, RELATING TO THE PROTECTION OF NONGAME FISH, SO AS TO FURTHER PROVIDE FOR THE COLOR OF CERTAIN MARKINGS, TO PROVIDE THAT A COMMERCIAL TROTLINE WHICH USES FIFTY OR FEWER HOOKS MUST BE MARKED AT INTERVALS OF TWENTY‑FIVE HOOKS, TO REVISE THE AGE OF PERSONS IN A BOAT THAT MAY USE AN UNLIMITED NUMBER OF GAME FISHING DEVICES, AND TO REVISE THE NUMBER OF SET HOOKS A RECREATIONAL FISHERMAN MAY USE.

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(R9, S. 305) -- Senator Campsen: AN ACT TO AMEND SECTION 50‑1‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GEOGRAPHIC BOUNDARIES OF THE STATE’S BODIES OF WATERS, SO AS TO REVISE THE GEOGRAPHIC BOUNDARIES OF SAINT HELENA SOUND; TO AMEND SECTION 50‑5‑15, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO DEFINE THE TERM “TOTAL LENGTH”; TO AMEND SECTION 50‑5‑40, RELATING TO THE UNAUTHORIZED TAGGING OR MARKING AND RELEASING OF SALTWATER FISH, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50‑5‑375, RELATING TO SEAFOOD DEALERS’ RECORDS, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO EVERY WHOLESALE SEAFOOD DEALER; TO AMEND SECTION 50‑5‑545, RELATING TO COMMERCIAL CRAB TRAPS, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO TRAPS USED FOR TAKING BLUE CRABS; TO AMEND SECTION 50‑5‑550, RELATING TO TRAPS ATTACHED TO A BUOY, SO AS TO PROVIDE THAT CERTAIN MINNOW TRAP FLOATS DO NOT HAVE TO BE MARKED WITH THE OPERATOR’S BAIT DEALER LICENSE NUMBER; TO AMEND SECTION 50‑5‑705, RELATING TO THE ESTABLISHMENT OF TRAWLING ZONES, SO AS TO REVISE THE BOUNDARIES OF CERTAIN TRAWLING ZONES; TO AMEND SECTION 50‑5‑1330, RELATING TO THE TAKING OF HORSESHOE CRABS, SO AS TO PROVIDE THAT A PERMIT IS NOT REQUIRED TO POSSESS A CAST OFF OR MOLTED SHELL OF A HORSESHOE CRAB, AND TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MAY GRANT PERMITS TO CERTAIN INSTITUTIONS AND PERSONS TO POSSESS AN UNLIMITED NUMBER OF HORSESHOE CRABS OR THEIR PARTS; TO AMEND SECTION 50‑5‑1335, RELATING TO THE USE OF BLUE CRAB TRAPS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO SET A TRAP USED FOR TAKING BLUE CRAB FOR COMMERCIAL PURPOSES WITHIN CERTAIN WATERS WITHIN THIS STATE; TO AMEND SECTIONS 50‑5‑1705 AND 50‑5‑1710, BOTH AS AMENDED, RELATING TO LAWFUL SIZE AND CATCH LIMITS FOR CERTAIN FISH, SO AS PROVIDE THAT THE LIMITS ESTABLISHED IN ARTICLE 17, CHAPTER 5, TITLE 50 APPLY TO ALL STATE WATERS; AND TO REPEAL SECTION 50‑5‑1340 RELATING TO COMMERCIAL USE OF CRAB POTS IN LITTLE CHECHESSEE CREEK IN BEAUFORT COUNTY.

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(R10, S. 351) -- Senator O’Dell: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE BELTON NATIONAL GUARD ARMORY TO THE CITY OF BELTON.

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(R11, S. 352) -- Senators Massey and Nicholson: AN ACT TO AMEND SECTION 7‑7‑390, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN MCCORMICK COUNTY, SO AS TO ADD THE “MONTICELLO” PRECINCT, TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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(R12, S. 501) -- Senator Young: A JOINT RESOLUTION TO AUTHORIZE THE CITY OF NORTH AUGUSTA TO RELOCATE THE WORLD WAR I AND WORLD WAR II MEMORIAL MONUMENT IN CALHOUN PARK TO THE VETERANS MEMORIAL AT WADE HAMPTON VETERANS PARK.

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

**MOTION ADOPTED**

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

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

**NONCONCURRENCE**

H. 3453 -- Reps. Bingham, Allison, Anthony, Hayes and Atwater: A JOINT RESOLUTION TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2013‑2014 SCHOOL YEAR BY MAY 15, 2013; TO PROVIDE THAT A CONTINUING‑CONTRACT TEACHER WHO IS BEING RECOMMENDED FOR FORMAL EVALUATION THE FOLLOWING SCHOOL YEAR MUST BE NOTIFIED IN WRITING ON OR BEFORE THE DATE THE SCHOOL DISTRICT ISSUES THE WRITTEN OFFER OF EMPLOYMENT OR REEMPLOYMENT; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; AND TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF CERTAIN RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE.

The House returned the Joint Resolution with amendments.

On motion of Senator COURSON, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**DEBATE INTERRUPTED**

S. 308 -- Senators Bennett, Shealy, Grooms, Hembree, L. Martin, Massey, Campbell, Turner, Thurmond, Bryant, Verdin, S. Martin, Davis, Bright, Corbin, Campsen, Fair and Cromer: A BILL TO AMEND SECTION 16‑23‑465 OF THE 1976 CODE, RELATING TO THE CARRYING OF A CONCEALED WEAPON IN A BUSINESS THAT SELLS ALCOHOL TO BE CONSUMED ON THE PREMISES, TO PERMIT THE POSSESSION OF A WEAPON UNLESS NOTICE OF A PROHIBITION IS PROVIDED BY THE BUSINESS, TO PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN A BUSINESS BY SOMEONE CARRYING A FIREARM, AND TO REDUCE THE PENALTIES FOR VIOLATIONS.

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

Senator PEELER spoke on the Bill.

**Remarks by Senator PEELER**

I want to lay a foundation on this debate dealing with guns.

A veteran was asked why he felt the need to carry a gun and this was his response, “Most of the people in our society are sheep. They are kind, gentle, productive creatures who can only hurt one another by accident. Then there are the wolves. The wolves feed on the sheep without mercy.” Do you believe there are wolves out there who will feed on the flock without mercy? You better believe it. There are evil men in this world and they are capable of evil deeds. The moment you forget that or pretend that it is not so, you become a sheep. There is no safety in denial. “Then there are the sheep dogs and I’m a sheep dog. I live to protect the flock and confront the wolf.”

Members of the Senate, as long as HARVEY PEELER has anything to do with the flock, our sheep dogs will be armed.

On motion of Senator BRIGHT, with unanimous consent, the remarks of Senator PEELER were ordered printed in the Journal.

Senator BENNETT spoke on the Bill.

**Remarks by Senator BENNETT**

Thank you Mr. PRESIDENT. Lady and gentlemen of the Senate, I am going to be very brief.

I know that this is going to be a debate that we need to have and we need to spend some time on so it is not my intention to get this done today. But I just wanted to let you know that any time we start, at least in my short time here in the Senate, dealing with a Gun Bill, tensions rise and emotions become high, so I want to be sure we understand before we get started on this debate what we are not doing in this Bill.

We are not talking about expanding access to weapons. We are not talking about eliminating regulations on any weapon laws that we currently have. We are not talking about arming militias -- whether they are organized or unorganized. We are not talking about nullifying any gun laws. We are not talking about allowing guns in schools.

What we are talking about in this Bill are two things. One is protecting rights, and to a certain degree, the privileges of legal, responsible, trained gun owners. And we are talking about public safety. This Bill was designed and drafted to be very narrow in scope to address one area of our current concealed weapon permit law that I think was overlooked, and maybe rightfully so when this body and the entire General Assembly passed a Bill seventeen years ago to allow concealed weapon permits for citizens of this State.

When I look at the crime rates, unfortunately, it is not always a pleasant read. Right here in Columbia, South Carolina, we have over 900 violent crimes a year committed. We have a one in 144 chance of being involved in a violent crime in Columbia. In North Charleston, those numbers are even worse. Greenville has a one in 124 chance of being involved in a violent crime. In Myrtle Beach, there is a one in 63 chance of being involved in a violent crime. Those are our citizens and visitors to this State.

The people that have asked for this expansion deserve the right to carry their concealed weapon into a restaurant and have dinner with their family, and know that when they walk across that parking lot, they are protected. By the way, nearly twenty percent of violent crimes that occur in South Carolina occur in a commercial area or parking lot. We will get into a lot more detail as this debate goes on but the more and more I look at the data, these concealed weapon permit holders truly are the good guys. We are filtering them down. We prevent people from obtaining concealed weapon permits -- about 197 of those just last year alone. We revoke permits when they do not do what they are supposed to do. That happens on a daily basis.

I just ask that, as we have this debate, get serious and pay attention to the rights of our citizens and do it respectfully and come to an agreement that we can all live with.

Thank you.

On motion of Senator SHANE MARTIN, with unanimous consent, the remarks of Senator BENNETT were ordered printed in the Journal.

By prior motion of Senator COURSON, with unanimous consent, the Senate agreed to go into Executive Session.

**EXECUTIVE SESSION**

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

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, State Forestry Commission, with the term to commence June 30, 2012, and to expire June 30, 2018

Seat: Public

James Bradford Thompson, 1416 Briarwood Road, Greenwood, SC 29646

On motion of Senator CROMER, the question was confirmation of Mr. Thompson.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

The appointment of Mr. Thompson was confirmed.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

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

Initial Appointment, South Carolina State Ethics Commission, with the term to commence June 30, 2008, and to expire June 30, 2013

5th Congressional District:

Twana N. Burris-Alcide, 591 Lakeside Drive, Rock Hill, SC 29730 *VICE* Vacant

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Twana N. Burris-Alcide.

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

**Ayes 36; Nays 0; Abstain 3**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Jackson

Johnson Lourie *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Reese Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--36**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto Malloy Setzler

**Total--3**

The appointment of Ms. Burris-Alcide was confirmed.

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

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence July 1, 2012, and to expire June 30, 2016

At-Large:

Barbara W. Mishoe, 154 South Main Street, Greeleyville, SC 29056 *VICE* New Seat

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Barbara W. Mishoe.

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

**Ayes 35; Nays 0; Abstain 4**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Ford Hayes

Hembree Jackson Johnson

Lourie *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson Peeler

Reese Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--35**

**NAYS**

**Total--0**

**ABSTAIN**

Allen Hutto Malloy

Setzler

**Total--4**

The appointment of Ms. Mishoe was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointments were taken up for immediate consideration:

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence July 1, 2012, and to expire June 30, 2016

Robert J. Reid, 19 Dingle Street, Charleston, SC 29403 *VICE* New Seat

On motion of Senator LARRY MARTIN, the question was confirmation of Mr. Robert Reid.

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

**Ayes 35; Nays 0; Abstain 4**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Ford Hayes

Hembree Jackson Johnson

Lourie *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson Peeler

Reese Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--35**

**NAYS**

**Total--0**

**ABSTAIN**

Allen Hutto Malloy

Setzler

**Total--4**

The appointment of Mr. Reid was confirmed.

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

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence July 1, 2011, and to expire June 30, 2015

At-Large:

Carla J. Smalls, 261 Caedmons Creek Drive, Irmo, SC 29063 *VICE* New Seat

On motion of Senator LARRY MARTIN, the question was confirmation of Ms. Carla J. Smalls.

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

**Ayes 35; Nays 0; Abstain 4**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Ford Hayes

Hembree Jackson Johnson

Lourie *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson Peeler

Reese Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--35**

**NAYS**

**Total--0**

**ABSTAIN**

Allen Hutto Malloy

Setzler

**Total--4**

The appointment of Ms. Smalls was confirmed.

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

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence July 1, 2010, and to expire June 30, 2014

At-Large:

Frank D. Wideman, 126 Stratford Road, Greenwood, SC 29649 *VICE* New Seat

On motion of Senator LARRY MARTIN, the question was confirmation of Mr. Frank D. Wideman.

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

**Ayes 35; Nays 0; Abstain 4**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Ford Hayes

Hembree Jackson Johnson

Lourie *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson Peeler

Reese Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--35**

**NAYS**

**Total--0**

**ABSTAIN**

Allen Hutto Malloy

Setzler

**Total--4**

The appointment of Mr. Wideman was confirmed.

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

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence May 3, 2011, and to expire May 3, 2014

Governor Appointed:

Donald L. McLaurin, 13 Water Street, Charleston, SC 29401

On motion of Senator COURSON, the question was confirmation of Mr. Donald L. McLaurin.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

The appointment of Mr. McLaurin was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2012, and to expire July 27, 2015

1st Congressional District:

Mr. Sean McLernon, 3941 Chisolm Road, John’s Island, SC 29455 *VICE* vacant

On motion of Senator ALEXANDER the question was confirmation of Mr. Sean McLernon.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

The appointment of Mr. McLernon was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 28, 2011, and to expire July 28, 2014

3rd Congressional District:

Michael W. Nix, 312 Hunting Road, Greenwood, SC 29646 *VICE* John Hamrick

On motion of Senator ALEXANDER the question was confirmation of Mr. Michael W. Nix.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

The appointment of Mr. Nix was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2012, and to expire July 27, 2015

2nd Congressional District:

Kenneth B. Wingate, 4936 Hillside Road, Columbia, SC 29206 *VICE* Roger Whaley

On motion of Senator ALEXANDER the question was confirmation of Mr. Kenneth B. Wingate.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

The appointment of Mr. Wingate was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2010, and to expire July 27, 2013

Chairman:

Donald R. Tomlin, Jr., 4618 Perry Court, Columbia, SC 29206 *VICE* Peter Brown

On motion of Senator ALEXANDER the question was confirmation of Mr. Donald R. Tomlin.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

The appointment of Mr. Tomlin was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was taken up for immediate consideration:

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2012, and to expire July 1, 2016

4th Congressional District:

Norman F. Pulliam, Sr., 1150 Woodburn Road, Spartanburg, SC 29302

On motion of Senator CROMER the question was confirmation of Mr. Pulliam.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Ford

Hayes Hembree Jackson

Johnson Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Reese

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

The appointment of Mr. Pulliam was confirmed.

The Senate resumed consideration of S. 308.

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

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Thomas “Big Tom” Brown of Bradley, S.C. “Big Tom” was the beloved husband of Doris and devoted father of Thomas, Deidre Michelle and Tanya and doting grandfather of three.

and

**MOTION ADOPTED**

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jasper Eaddy of Marion, S.C.

**ADJOURNMENT**

At 1:35 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

**Recorded Vote**

Senators BRYANT and BRIGHT desired to be recorded as voting against the motion to adjourn.

\* \* \*