**Tuesday, May 14, 2013**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

 The Senate assembled at 10:00 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:

We read in Daniel that:

 “Those who are wise shall shine like the brightness of the sky, and those who lead many to righteousness, like the stars forever and ever.”

(Daniel 12:3)

 Please join me as we pray:

 Glorious Lord, as we think of these Senators today we cannot help but recall Daniel’s charge: that they be leaders who demonstrate wisdom, that they be bold and self-assured, and that they demonstrate leadership in ways pleasing in Your sight, O God -- as well as in ways that are meaningful to the people of South Carolina. Bless the lady and the gentlemen of this Senate.

 Further, we ask today special blessings upon all members of our nation’s Armed Forces, so many of whom serve faithfully far from home. May all of these servants, Lord, be granted a full measure of Your care as they seek to honor You. In Your holy name we pray, dear Lord.

Amen.

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

**REGULATION WITHDRAWN AND RESUBMITTED**

 The following was received:

Document No. 4336

Agency: Board of Cosmetology

Chapter: 35

Statutory Authority: 1976 Code Sections 40-1-70 and 40-13-60

SUBJECT: Requirements of Licensure in the Field of Cosmetology (Educational Requirements)

Received by Lieutenant Governor February 27, 2013

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration February 3, 2014

120 Day Period Tolled

Withdrawn and Resubmitted April 17, 2013

Committee Requested Withdrawal May 13, 2013

120 Day Period Tolled

Withdrawn and Resubmitted May14, 2013

**Doctor of the Day**

 Senators BENNETT and THURMOND introduced Dr. James McCoy of Charleston, S.C., Doctor of the Day.

**Motion Adopted**

 On motion of Senator PEELER, with unanimous consent, Senator SHANE MARTIN was granted leave to attend a meeting and were granted leave to vote from the balcony.

**Leave of Absence**

 On motion of Senator MALLOY, at 10:05 A.M., Senator PINCKNEY was granted a leave of absence for Monday, May 13, 2013, through Tuesday, May 28, 2013.

**Leave of Absence**

 On motion of Senator CAMPBELL, at 10:05 A.M., Senator VERDIN was granted a leave of absence until 11:00 A.M.

**Leave of Absence**

 At 2:05 P.M., Senator FAIR requested a leave of absence beginning at 5:30 P.M. and lasting until Noon tomorrow.

**Expression of Personal Interest**

 Senator PEELER rose for an Expression of Personal Interest.

**Remarks by Senator PEELER**

 Thank you, Mr. PRESIDENT and members of the Senate. This past Sunday was Mother’s Day. I hope you had a good Mother’s Day. I certainly did.

 My father passed away in 2001. I’m blessed to still have my mother. She’s still with us and she’s very healthy and very active.

 Smith and Sally Peeler had four children -- me, the twins, Bill and Bob, and our sister, Susan. Our resumes include one State Senator; my brother, Bob, was Lieutenant Governor and serves on the Clemson Board of Trustees; and my brother, Bill, is former Chairman of the Board of Deacons of the Gaffney First Baptist Church and serves on the Broad River Electric Cooperative Board. Our sister, Susan, is the mother of two and a retired classroom teacher at Moultrie Middle School in Charleston. Of the four of us, I think Daddy was most proud of Bill for serving on the Electric Cooperative Board. Senator from Pickens, Daddy always called it the R.E.A. He said that he remembers when the R.E.A. brought lights and electric milkers to the barn. I honestly believe the he thought more of Bill than any of the rest of us for serving on that board. We were raised to know the difference between right and wrong. We were raised that where much is given, much is required. Not unlike hundreds, no thousands of families across this great State, we have a pedigree of public service.

 Now I say, “Harvey, where are you headed here?” Here’s where I’m headed. A couple of weeks ago, we elected several members of the College Boards of Trustees. Several of the members were family members of people that serve in the General Assembly and that’s brought attention to this issue.

 There is an effort now -- I think a Bill has been introduced, that a family member of a seated member of the General Assembly couldn't serve on these Boards and Commissions. For the Peeler family, that would mean out of four children, only one can serve. I hope the Bill is not passed. But if it does, I wonder which one of you Davy Crocketts are going to tell mama bear which one of her cubs can serve.

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

**Expression of Personal Interest**

 Senator BRIGHT rose for an Expression of Personal Interest.

**OBJECTION**

 S. 115 -- Senators Bright, Bryant, Verdin, Davis, Grooms and S. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2013”, TO AMEND SECTION 16‑23‑20, RELATING TO OFFENSES INVOLVING WEAPONS, TO CHANGE THE OFFENSE OF UNLAWFULLY CARRYING A HANDGUN TO CARRYING A HANDGUN WITH INTENT TO COMMIT A CRIME; TO REPEAL SECTION 16‑23‑460, RELATING TO THE OFFENSE OF CARRYING A CONCEALED WEAPON; TO AMEND SECTION 23‑31‑220, RELATING TO SIGNS AND THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES, TO REMOVE REFERENCES TO CONCEALED WEAPONS PERMITS AND TO ALLOW A PRIVATE EMPLOYER OR OWNER TO ALLOW OR PROHIBIT ANYONE FROM CARRYING A WEAPON UPON HIS PREMISES BY PROVIDING NOTICE WITH A SIGN; TO AMEND SECTION 23‑31‑225, RELATING TO CARRYING CONCEALED WEAPONS INTO RESIDENCES OR DWELLINGS, TO REMOVE REFERENCES TO CONCEALED WEAPONS PERMITS AND TO PROHIBIT ANY PERSON FROM ENTERING A RESIDENCE OR DWELLING OF ANOTHER WITH A WEAPON WITHOUT PERMISSION; AND TO AMEND SECTION 23‑31‑240, RELATING TO PERSONS WHO ARE ALLOWED TO CARRY A WEAPON ANYWHERE IN THE STATE WHILE ON DUTY, TO INCLUDE LAW ENFORCEMENT OFFICERS.

 Senator BRIGHT asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

 Senator HUTTO objected.

**Statement by Senators BRIGHT, BRYANT, CORBIN, DAVIS FAIR, GROOMS, SHANE MARTIN, SHEALY, TURNER VERDIN and YOUNG**

 Senators BRIGHT, BRYANT, CORBIN, DAVIS, FAIR, GROOMS, SHANE MARTIN, SHEALY, TURNER, VERDIN and YOUNG wished the Journal to reflect that they were in support of the motion to recall the Bill from the Committee on Judiciary.

 Senator BRIGHT made a motion to recall S. 115 (the Constitutional Carry Bill) from the Judiciary Committee to be placed on the Senate Calendar. Unfortunately, it takes unanimous consent outside of the Motion Period. We do not object and are in favor of working on this legislation.

 Senator O’DELL was on leave.

**Expression of Personal Interest**

 Senator SETZLER rose for an Expression of Personal Interest.

**Remarks by Senator SETZLER**

 I would like to ask for unanimous consent to make an announcement that I would rather not make and am joined by the Senator from Newberry, Senator CROMER. The Senator from Cherokee, Senator PEELER, informed me yesterday that former Senator LAKE had a massive stroke and was in the hospital in Anderson. I have just received word that Senator LAKE has passed away.

 For those of you who did not have the opportunity to serve with him, he was a real champion and was tremendously dedicated to education in this State.

 I would ask that the Senate rise and observe a moment of silence in his honor and in his memory.

 Thank you.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

 The following were introduced:

 S. 694 -- Senators Peeler and Hutto: A BILL TO AMEND ARTICLE 7, CHAPTER 3, TITLE 16 OF THE 1976 CODE BY ADDING SECTION 16-3-630 TO PROVIDE THAT A PERSON CONVICTED OF ASSAULT AND BATTERY UPON A STATE OR LOCAL CORRECTIONAL FACILITY EMPLOYEE WHO IS PERFORMING JOB-RELATED DUTIES MUST SERVE A MANDATORY MINIMUM SENTENCE OF NOT LESS THAN SIX MONTHS NOR MORE THAN FIVE YEARS.

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

 S. 695 -- Senators Campbell, Hutto, Peeler, Gregory, Hembree and Bennett: A BILL TO AMEND SECTION 44-7-170 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE CERTIFICATE OF NEED REVIEW, TO EXEMPT A CHANGE IN THE EXISTING BED COMPLEMENT OF A GENERAL HOSPITAL THROUGH THE ADDITION OF ONE OR MORE BEDS TO BE USED EXCLUSIVELY FOR MENTAL HEALTH SERVICES, OR CHANGE IN THE CLASSIFICATION OF LICENSURE OF ONE OR MORE GENERAL HOSPITAL BEDS TO BEDS TO BE USED EXCLUSIVELY FOR MENTAL HEALTH SERVICES.

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

 S. 696 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND KAREN C. JOINER, COORDINATOR OF THE CASS ELIAS MCCARTER GUARDIAN AD LITEM PROGRAM FOR THE 11TH JUDICIAL CIRCUIT, UPON THE OCCASION OF HER RETIREMENT AFTER TWENTY-EIGHT YEARS OF OUTSTANDING SERVICE TO THE STATE, TWENTY-SEVEN OF WHICH WERE DEVOTED TO IMPROVING THE LIVES AND SAFETY OF CHILDREN, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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 The Senate Resolution was adopted.

 S. 697 -- Senators Jackson, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Ford, Gregory, Grooms, Hayes, Hembree, Hutto, Johnson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE REMARKABLE ALLEN UNIVERSITY BASEBALL TEAM, WHICH CAPTURED THE 1960 SOUTHERN INTERCOLLEGIATE ATHLETIC CONFERENCE CHAMPIONSHIP MORE THAN HALF A CENTURY AGO, AND TO CONGRATULATE THE ALUMNI OF THAT ILLUSTRIOUS TEAM.

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 The Senate Resolution was adopted.

 S. 698 -- Senators Fair, Allen, Corbin, S. Martin, Turner and Verdin: A SENATE RESOLUTION EXPRESSING THE SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE AT THE DEATH OF GREENVILLE COUNTY SHERIFF SAM SIMMONS AND EXPRESSING SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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 The Senate Resolution was adopted.

 H. 4097 -- Reps. Harrell, Lucas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, 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, 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 CONGRATULATE THE OFFICE OF HOUSE RESEARCH AND CONSTITUENT SERVICES, PUBLISHER OF THE LEGISLATIVE UPDATE, ON THE PUBLICATION'S RECEIVING A 2012 SOUTH CAROLINA STATE LIBRARY NOTABLE STATE DOCUMENT AWARD.

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

 H. 4112 -- Reps. Barfield, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, 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, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, 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 REVEREND ROBERT A. NORRIS, BOARD MEMBER OF COLUMBIA INTERNATIONAL UNIVERSITY, UPON THE OCCASION OF HIS RETIREMENT AFTER ALMOST FORTY YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**REPORT OF STANDING COMMITTEE**

 Senator CAMPSEN from the Committee on Fish, Game and Forestry polled out H. 3762 favorable:

H. 3762 -- Reps. Ott, Skelton, Hardwick, Hodges, Knight, Bales, Jefferson, Parks, Sellers, Finlay, Funderburk, Gagnon, Gambrell, George, Hayes, Hiott, Hixon, Horne, Lowe, D.C. Moss, Norman, Pitts, Putnam, Riley, White, Williams and Vick: A BILL TO AMEND SECTIONS 50‑11‑740, AS AMENDED, AND 50‑11‑745, RELATING TO THE CONFISCATION, FORFEITURE, SALE, AND RELEASE OF PROPERTY USED FOR THE UNLAWFUL HUNTING OF WILDLIFE, SO AS TO PROVIDE ADDITIONAL TYPES OF PROPERTY THAT ARE COVERED BY BOTH PROVISIONS, AND TO REVISE THE PENALTIES THAT MAY BE IMPOSED FOR THE UNLAWFUL HUNTING OF WILDLIFE.

**Poll of the Fish, Game and Forestry Committee**

**Polled 17; Ayes 17; Nays 0; Not Voting 0**

**AYES**

Campsen McGill Hutto

Cromer Williams Sheheen

Coleman Gregory Bennett

Corbin Hembree Johnson

McElveen Shealy Thurmond

Turner Young

**Total--17**

**NAYS**

**Total--0**

 Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

 The following Resolutions were returned with concurrence and received as information:

S. 680 -- Senator L. Martin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE PICKENS HIGH SCHOOL WINTER GUARD, ITS INSTRUCTOR, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE SOUTH CAROLINA BAND DIRECTORS ASSOCIATION REGIONAL A STATE CHAMPIONSHIP.

S. 685 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE GREATER COLUMBIA MARINE FOUNDATION FOR ITS OUTSTANDING CHARITABLE WORK AND TO CONGRATULATE THE VOLUNTEER MARINE MEMBERS UPON THE OCCASION OF THE 20TH UNITED STATES MARINE CORPS ULTIMATE CHALLENGE MUD RUN.

S. 693 -- Senator Hayes: A CONCURRENT RESOLUTION TO CONGRATULATE STEPHEN R. FOWLER, PRESIDENT AND CEO OF THE SOUTH CAROLINA CREDIT UNION LEAGUE, ON THE OCCASION OF HIS RETIREMENT AND TO RECOGNIZE HIM FOR HIS OUTSTANDING LEADERSHIP AND COOPERATIVE SPIRIT IN SERVICE TO SOUTH CAROLINA’S CREDIT UNION MOVEMENT, CREDIT UNION MEMBERS, AND CITIZENS AT LARGE.

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

**ORDERED ENROLLED FOR RATIFICATION**

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

H. 3223 -- Rep. White: A BILL TO AMEND SECTIONS 1‑11‑55, AS AMENDED, 1‑11‑425, 1‑23‑120, AS AMENDED, 2‑1‑230, 2‑3‑75, 2‑13‑60, 2‑13‑180, 2‑13‑190, AS AMENDED, 2‑13‑200, 2‑13‑210, 11‑35‑310, 11‑53‑20, AND 29‑6‑250, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING, IN WHOLE OR IN PART, TO THE OFFICE OF LEGISLATIVE PRINTING, INFORMATION AND TECHNOLOGY SYSTEMS (LPITS), SO AS TO CHANGE THE NAME OF THIS OFFICE TO THE LEGISLATIVE SERVICES AGENCY (LSA).

 **HOUSE BILLS RETURNED**

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

H. 3472 -- Reps. Owens, Harrell, Patrick, Gambrell, Taylor, Wells, Anthony, Mitchell, Cobb‑Hunter, Allison, Pitts, Daning, Wood and Southard: A BILL TO AMEND SECTION 59‑40‑210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL AND THE REQUIREMENT THAT THE CONVERTED PRIVATE SCHOOL NOT BE ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS, SO AS TO PROVIDE THAT THE PROHIBITION AGAINST THE CONVERTED PRIVATE SCHOOL BEING ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS DOES NOT APPLY UNDER SPECIFIED CONDITIONS IF THE ENROLLMENT OF THE CONVERTED PRIVATE SCHOOL FOR THE MOST RECENTLY COMPLETED SCHOOL TERM BEFORE THE DATE OF THE PROPOSED CONVERSION REFLECTS THE RACIAL COMPOSITION OF THE LOCAL SCHOOL DISTRICT IN WHICH THE CONVERTED PRIVATE SCHOOL IS LOCATED.

H. 3725 -- Reps. Putnam, Ballentine, Patrick, Huggins, H.A. Crawford, Mitchell, Allison, Barfield, Chumley, Felder, Gagnon, Henderson, Hixon, Owens, Rivers, Ryhal, Simrill, Spires, Stringer, Taylor, Willis, Wood, Sellers, Long and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE “SAFE ACCESS TO VITAL EPINEPHRINE (SAVE) ACT”; BY ADDING SECTION 59‑63‑95 SO AS TO ALLOW SCHOOL DISTRICT AND PRIVATE SCHOOL GOVERNING AUTHORITIES TO OBTAIN SUPPLIES OF EPINEPHRINE AUTO‑INJECTORS FOR SCHOOLS TO USE IN CERTAIN CIRCUMSTANCES; TO AUTHORIZE CERTAIN PEOPLE TO PRESCRIBE AND DISPENSE PRESCRIPTIONS FOR EPINEPHRINE AUTO‑INJECTORS; TO AUTHORIZE CERTAIN SCHOOL PERSONNEL TO PROVIDE EPINEPHRINE AUTO‑INJECTORS TO STUDENTS FOR SELF‑ADMINISTRATION OF THE INJECTOR; TO AUTHORIZE CERTAIN PERSONNEL TO ADMINISTER EPINEPHRINE AUTO‑INJECTORS TO STUDENTS AND OTHER PEOPLE; TO PROVIDE FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND SCHOOL DISTRICT AND PRIVATE SCHOOL GOVERNING AUTHORITIES TO DEVELOP AND FACILITATE IMPLEMENTATION OF GUIDELINES FOR MANAGEMENT OF STUDENTS WITH LIFE‑THREATENING ALLERGIES, INCLUDING FOR ADMINISTRATION AND PROVISION OF EPINEPHRINE AUTO‑INJECTORS TO STUDENTS AND OTHER PEOPLE; AND TO PROVIDE FOR IMMUNITY FROM LIABILITY WITH REGARD TO USE OF EPINEPHRINE AUTO‑INJECTORS BY SCHOOLS.

**THIRD READING BILL**

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

 S. 674 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERM AND CONDITIONS FOR THE PUBLIC'S USE OF LAKES AND PONDS OWNED AND LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4341, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**READ THE SECOND TIME**

 H. 3087 -- Reps. Merrill and Daning: A BILL TO AMEND SECTION 59‑40‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VARIOUS CHARTER SCHOOL REQUIREMENTS, POWERS, AND DUTIES, SO AS TO PROVIDE THAT A CHARTER SCHOOL LOCATED ON A FEDERAL MILITARY INSTALLATION OR BASE WHERE THE APPROPRIATE AUTHORITIES HAVE MADE BUILDINGS, FACILITIES, AND GROUNDS ON THE INSTALLATION OR BASE AVAILABLE FOR USE BY THE CHARTER SCHOOL, AS ITS PRINCIPAL LOCATION, ALSO MAY GIVE ENROLLMENT PRIORITY TO OTHERWISE ELIGIBLE STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL LIVING IN MILITARY HOUSING ON THE BASE OR INSTALLATION OR WHO ARE CURRENTLY STATIONED AT THE BASE OR INSTALLATION NOT TO EXCEED FIFTY PERCENT OF THE TOTAL ENROLLMENT OF THE CHARTER SCHOOL.

 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 33; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Grooms Hembree

Hutto Johnson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Peeler Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--33**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

 S. 509 -- Senators Thurmond, Hembree and Rankin: A BILL TO AMEND CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO OFFENSES IN CONNECTION WITH ELECTRONIC MONITORING DEVICES, BY ADDING SECTION 24‑13‑425 TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO KNOWINGLY AND WITHOUT AUTHORITY TO REMOVE, DESTROY, OR CIRCUMVENT THE OPERATION OF AN ELECTRONIC MONITORING DEVICE WHICH IS BEING USED FOR THE PURPOSE OF MONITORING A PERSON, OR TO SOLICIT ANOTHER PERSON TO DO SO, AND TO PROVIDE FOR PENALTIES.

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

 The Committee on Corrections and Penoloy proposed the following amendment (509R001.PT), which was adopted:

 Amend the bill, as and if amended, page 1, by striking lines 28-31 and inserting:

 / “Section 24-13-425. (A) For the purposes of this section:

 (1) ‘Electronic monitoring device’ includes any device ordered by a court or pursuant to any statute that is utilized to track the location of a person.

 (2) ‘Person’ includes any public or private agency or entity providing electronic monitoring services. /

 Amend the bill further, page 2, by striking line 9 and inserting:

 / be guilty of the felony offense of tampering with the operation of an /

 Renumber sections to conform.

 Amend title to conform.

 Senator THURMOND explained the committee amendment.

 The committee amendment was adopted.

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

**CARRIED OVER**

The following Bills and Joint Resolutions were carried over:

 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.

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

 S. 531 -- Senator Alexander: A BILL TO AMEND CHAPTER 41, TITLE 41 OF THE 1976 CODE, RELATING TO OFFENSES, PENALTIES, AND LIABILITIES, BY ADDING SECTION 41‑41‑45 TO PROVIDE FOR A MANDATORY PENALTY ON FRAUDULENT OVERPAYMENTS IN CONNECTION WITH UNEMPLOYMENT INSURANCE COMPENSATION; TO AMEND CHAPTER 35, TITLE 41, RELATING TO BENEFITS AND CLAIMS, BY ADDING SECTION 41‑35‑135 TO PROVIDE THAT THE DEPARTMENT SHALL NOT RELIEVE THE CHARGE BENEFITS TO AN EMPLOYER’S ACCOUNT WHEN IT DETERMINES THAT THE OVERPAYMENT HAS BEEN MADE TO A CLAIMANT AND THE OVERPAYMENT OCCURRED BECAUSE THE EMPLOYER WAS AT FAULT FOR FAILING TO RESPOND TIMELY OR ADEQUATELY TO A WRITTEN REQUEST OF THE DEPARTMENT FOR INFORMATION RELATING TO AN UNEMPLOYMENT COMPENSATION CLAIM, AND THE EMPLOYER EXHIBITS A PATTERN OF FAILURE TO TIMELY OR ADEQUATELY RESPOND TO REQUESTS FROM THE DEPARTMENT FOR INFORMATION RELATING TO UNEMPLOYMENT COMPENSATION CLAIMS ON THREE OR MORE OCCASIONS WITHIN A SINGLE CALENDAR YEAR; AND TO AMEND SECTION 43‑5‑598, RELATING TO THE DEFINITION OF “NEW HIRE”, TO PROVIDE THAT A NEW HIRE INCLUDES A REHIRED EMPLOYEE WHO HAS BEEN SEPARATED FROM PRIOR EMPLOYMENT FOR AT LEAST SIXTY CONSECUTIVE DAYS.

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

 H. 3751 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO CONFORM WITH FEDERAL MANDATES ENACTED BY THE UNITED STATES CONGRESS IN THE TRADE ADJUSTMENT ASSISTANCE EXTENSION ACT OF 2011; BY ADDING SECTION 41‑41‑45 SO AS TO PROVIDE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE SHALL IMPOSE A PENALTY ON FRAUDULENT OVERPAYMENTS OF UNEMPLOYMENT BENEFITS; BY ADDING SECTION 41‑33‑910 SO AS TO CREATE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE INTEGRITY FUND AND PROVIDE FOR ITS SOURCE AND USE; BY ADDING SECTION 41‑35‑135 SO AS TO PROVIDE THE DEPARTMENT SHALL CHARGE THE ACCOUNT OF AN EMPLOYER WHEN THE EMPLOYER FAILS TO RESPOND TIMELY OR ADEQUATELY TO A REQUEST BY THE DEPARTMENT FOR INFORMATION CONCERNING A CLAIM FOR UNEMPLOYMENT BENEFITS WHEN THE EMPLOYER HAS DEMONSTRATED A PATTERN OF FAILING TO TIMELY OR ADEQUATELY RESPOND TO THESE REQUESTS; AND TO AMEND SECTION 43‑5‑598, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE SOUTH CAROLINA EMPLOYABLES PROGRAM ACT, SO AS TO REVISE THE DEFINITION OF “NEW HIRE” TO APPLY WHERE THE SEPARATION OF AN EMPLOYEE FROM EMPLOYMENT IS FOR AT LEAST SIXTY CONSECUTIVE DAYS.

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

 H. 3711 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2012‑2013, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

 S. 348 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑10‑35 SO AS TO PROVIDE FOR REQUIREMENTS FOR FIREPLACES IN LIEU OF REQUIREMENTS OF THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

 Senator LARRY MARTIN explained the Bill.

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

 H. 3459 -- Reps. Sandifer, Bales, J.E. Smith and Erickson: A BILL TO AMEND SECTION 40‑2‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE BOARD, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE BOARD, AND TO PROVIDE THESE PERSONNEL MAY BE TERMINATED BY THE DIRECTOR OF A MAJORITY OF THE BOARD; TO AMEND SECTION 40‑2‑30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO PROVIDE A CERTIFIED PUBLIC ACCOUNTANT LICENSED BY THE BOARD IS EXEMPT FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; AND TO AMEND SECTION 40‑2‑70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD MAY CONDUCT PERIODIC INSPECTIONS OF LICENSEES OR FIRMS; AND TO AMEND SECTION 40‑2‑80, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT SHALL DIRECT THE INVESTIGATOR ASSIGNED TO THE BOARD TO INVESTIGATE AN ALLEGED VIOLATION TO DETERMINE THE EXISTENCE OF PROBABLE CAUSE MERITING FURTHER PROCEEDINGS.

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

 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.

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

 H. 3360 -- Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G.R. Smith, J.E. Smith, Sottile, Stringer, Tallon, Taylor and Bales: A BILL TO AMEND SECTIONS 57‑5‑10, 57‑5‑70, AND 57-5-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57‑5‑90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

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

 S. 690 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF ARCHITECTURAL EXAMINERS, RELATING TO OFFICERS, MEETINGS, APPLICATIONS AND FEES, RENEWALS, AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4334, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

 Senator SHANE MARTIN explained the Joint Resolution.

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

 S. 691 -- 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 RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4321, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

 S. 692 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE RESIDENTIAL BUILDERS COMMISSION, RELATING TO RESIDENTIAL SPECIALTY CONTRACTORS LICENSE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4252, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**OBJECTION**

 H. 4038 -- Reps. Sandifer and Harrell: A BILL TO AMEND SECTION 40‑22‑280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE APPLICATION OF THE CHAPTER CONCERNING ENGINEERS AND SURVEYORS, SO AS TO ADD AN EXEMPTION FOR CERTAIN ENGINEERS.

 Senator SHANE MARTIN objected to the Bill.

**THE SENATE PROCEEDED TO A CONSIDERATION OF H. 3710, THE GENERAL APPROPRIATIONS BILL.**

**AMENDED, DEBATE INTERRUPTED**

**H. 3710--GENERAL APPROPRIATIONS BILL**

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

**Point of Order**

 Senator MASSEY raised a Point of Order under Rule 24A that Proviso 34.48 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***34.48.*** *(DHEC: Surface Water Withdrawal Permit) For purposes of compliance with the requirements of R.61-119, any existing surface water withdrawer, as defined in Section 49-4-20(9) of the 1976 Code, as amended, shall be allowed to file a permit application, pay the $1,000 application fee and receive a permit as an existing surface water withdrawer, as long as the application is submitted prior to July 15, 2013.*

 Senator SETZLER spoke on the Point of Order.

 On motion of Senator MASSEY, the Point of Order was withdrawn.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 1A.61 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***1A.61.*** *(SDE-EIA: Defined Program Personnel Requirements) Administrative positions requiring State Board of Education teacher or administrator certification, may be filled either by an individual receiving a W-2 from the hiring school district, or in the case of a charter school authorized under Title 59, Chapter 49, an individual employed by an entity under contract with the school district may fill such a position. However, if such a position in a charter school is filled by an individual that does not receive a W-2 from the hiring school district, the total compensation for the individual shall not exceed the total compensation of the highest paid individual in a similar position at a school district of the same or lesser size of the charter school in the State of South Carolina. If such total compensation does exceed that amount, the school’s EFA and/or EIA allocation shall be reduced by the amount which such compensation exceeds that amount specified in the previous sentence. Compliance with this requirement will be made part of the single audit process of local public school districts as monitored by the State Department of Education.*

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 11.15 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 **11.5.** (CHE: GEAR-UP) Funds appropriated for GEAR-UP shall be used for state grants programs to reach disadvantaged middle school students to improve their preparation for college. Eligible South Carolina public schools and public institutions of higher education shall cooperate with the Commission on Higher Education in the provision of services under the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.

 The PRESIDENT took the Point of Order under advisement.

**Amendment No. 33**

 Senator CROMER proposed the following amendment (DAD 1A.39 SEMI-ANNUAL REPORTING), which was adopted:

 Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 373, paragraph 1A.39, lines 16-17, by striking the lines in their entirety and inserting:

 / *awarded must submit a semi-annual report on the last day of December that has been audited by a third party accounting firm in addition to the final report due August 1st.* /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator CROMER explained the amendment.

 The amendment was adopted.

**Point of Order**

 Senator BRIGHT raised a Point of Order under Rule 24A that Proviso 117.114 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***117.114.*** *(GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2013-14.*

 The PRESIDENT took the Point of Order under advisement.

**Amendment No. 18**

 Senator MASSEY proposed the following amendment (3710R002.ASM.DOCX), which was tabled:

 Amend the bill, as and if amended, Part IB, Section 35, DEPARTMENT OF MENTAL HEALTH, page 415, paragraph 15, lines 33-35, by striking Proviso 35.15 in its entirety.

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator MASSEY explained the amendment.

 Senator ALEXANDER spoke on the amendment.

 Senator CLEARY spoke on the amendment.

 Senator ALEXANDER moved to lay the amendment on the table.

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

**Ayes 20; Nays 19**

**AYES**

Alexander Allen Campbell

Cleary Coleman Corbin

Fair Hayes Johnson

Leatherman *Martin, Larry* Matthews

McElveen McGill Peeler

Reese Scott Setzler

Turner Williams

**Total--20**

**NAYS**

Bennett Bright Bryant

Campsen Courson Cromer

Davis Gregory Grooms

Hembree Hutto Malloy

*Martin, Shane* Massey Shealy

Sheheen Thurmond Verdin

Young

**Total--19**

 The amendment was laid on the table.

**Amendment No. 28**

 Senators MASSEY and SHEHEEN proposed the following amendment (3710R016.ASM.DOCX), which was adopted:

 Amend the bill, as and if amended, Part IB, Section 101, BUDGET AND CONTROL BOARD, page 489, by adding an appropriately numbered new proviso to read:

 / *101.\_\_. (BCB: Interagency Loans) Section 11-9-240 of the 1976 Code is suspended for Fiscal Year 2013-14.* /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator MASSEY explained the amendment.

 The amendment was adopted.

**Amendment No. 29**

 Senator MASSEY proposed the following amendment (3710R022.ASM.DOCX), which was adopted:

 Amend the bill, as and if amended, Part IB, Section 101, BUDGET AND CONTROL BOARD, page 489, paragraph 101.30, line 4, by striking the proviso in its entirety and inserting:

 / *101.30. (BCB: IRF Prohibition) The Budget and Control Board shall prepare a report on prior fiscal year utilization of the Insurance Reserve Fund to include for each transaction the amount, the recipient of the funds, the date of the transfer or payment, and the action or reason that necessitated the transfer. The report shall be submitted to the President Pro Tempore of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee by October 15, 2013.* /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator MASSEY explained the amendment.

 The amendment was adopted.

**Amendment No. 24**

 Senators CAMPSEN and DAVIS proposed the following amendment (DAD CDEPP EXPANSION), which was tabled:

 Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 13, line 28, by:

 COLUMN 7 COLUMN 8

 / STRIKING: 5,514,729 5,314,729

 and

 INSERTING: 2,526,628 2,326,628/

 Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 13, by inserting after line 28,

 COLUMN 7 COLUMN 8

 /SPECIAL ITEM:

 CDEPP EXPANSION 2,988,101 2,988,101/

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator CAMPSEN explained the amendment

 Senator HAYES spoke on the amendment.

 Senator SETZLER moved to lay the amendment on the table.

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

**Ayes 25; Nays 17**

**AYES**

Alexander Allen Campbell

Coleman Courson Cromer

Ford Hayes Hutto

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

Matthews McElveen McGill

Peeler Rankin Reese

Scott Setzler Sheheen

Williams

**Total--25**

**NAYS**

Bennett Bright Bryant

Campsen Cleary Corbin

Davis Fair Gregory

Hembree *Martin, Shane* Massey

Shealy Thurmond Turner

Verdin Young

**Total--17**

 The amendment was laid on the table.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 36.2 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 **36.2.** (DDSN: Sale of Excess Real Property) The department is authorized to retain revenues associated with the sale of excess real property owned by, under the control of, or assigned to the department and may expend these funds as grants to purchase or build community residences and day program facilities for the individuals DDSN serves. The department shall follow all the policies and procedures of the Budget and Control Board and the Joint Bond Review Committee.

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator SHANE MARTIN raised a Point of Order under Rule 24A that Proviso 78.4 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***78.4.*** *(INS: High-Cost Medications Cost Sharing Support) The Department of Insurance shall create a new program within the South Carolina Health Insurance Pool to provide cost-sharing support for individuals requiring assistance to afford high-cost medications. The program shall be intended to lessen the burden of high‑ cost‑sharing medications. In order to become eligible for the program, an individual must:*

 (*1) Be a person who is a resident of this State for 30 days, and his or her newborn child;*

 *(2) Be enrolled in a commercial healthcare plan, including a qualified health plan through the exchange, or Medicare; and*

 *(3) Have evidence of either a pre-existing condition reliant on a specialty medication or have a past or expected medication prescription for which cost sharing would exceed $100.*

 *The program shall provide cost sharing support at the point of sale for a prescription drug, according to an enrollee's income. Such amounts shall limit the patient liability for a prescription to (a) $50 for individuals with incomes less than or equal to 400 percent of the federal poverty level, or (b) $100 for individuals with incomes greater than 400 percent of the federal poverty level.*

 *Costs incurred by the program shall count towards the annual out-of-pocket threshold required by Sections 1201 and 1302 of the Federal Affordable Care Act, to the extent permitted by federal law.*

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator CAMPSEN raised a Point of Order under Rule 24A that Proviso 34.48 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***34.48.*** *(DHEC: Surface Water Withdrawal Permit) For purposes of compliance with the requirements of R.61-119, any existing surface water withdrawer, as defined in Section 49-4-20(9) of the 1976 Code, as amended, shall be allowed to file a permit application, pay the $1,000 application fee and receive a permit as an existing surface water withdrawer, as long as the application is submitted prior to July 15, 2013.*

 On motion of Senator CAMPSEN, the Point of Order was withdrawn.

**Amendment No. 36**

 Senator THURMOND proposed the following amendment (3710R026.PT.DOCX), which was not adopted:

 Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 349, lines 18-22, proviso 1.79, by striking the proviso in its entirety.

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator THURMOND explained the amendment.

 Senator HAYES spoke on the amendment.

 Senator JACKSON spoke on the amendment.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 1.79 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***1.79.*** *(SDE: School District Activity Bus Advertisements) School Districts may sell commercial advertising space on the outside or inside of district owned activity buses. However, as defined and determined by the local school board, a school district may not sell such commercial advertising if the advertisement promotes a political candidate, ideology, or cause, a product that could be harmful to children, or a product that appeals to the prurient interest. Revenue generated from the sale of commercial advertising space shall be retained by the school district.*

 The PRESIDENT overruled the Point of Order.

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

**Ayes 6; Nays 33**

**AYES**

Bryant Fair Malloy

Peeler Sheheen Thurmond

**Total--6**

**NAYS**

Alexander Allen Bennett

Bright Campbell Cleary

Coleman Corbin Cromer

Davis Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Leatherman

Lourie *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Rankin Scott

Setzler Shealy Turner

Verdin Williams Young

**Total--33**

 The amendment was not adopted.

**Amendment No. 30**

 Senator SHEHEEN proposed the following amendment (DAD 1A.54 IT ACADEMY), which was adopted:

 Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 376, paragraph 1A.54, line 27, by striking /*with Microsoft*/ and inserting /*with a provider who provides Microsoft IT Academy certification*/

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator SHEHEEN explained the amendment.

 The amendment was adopted.

**Amendment No. 25**

 Senators SHANE MARTIN and BRYANT proposed the following amendment (3710R018.SRM.DOCX), which was withdrawn:

 Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 378, after line 17, by adding an appropriately numbered new proviso to read:

 / *3.\_\_. (LEA: Scholarship Repay) Unless a student disenrolls for a hardship purpose, as determined by the college or university, a student who disenrolls from a college or university shall repay all scholarship funds received by the student for that portion of the academic year in which the student disenrolled from the college or university.* /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator SHANE MARTIN explained the amendment.

 On motion of Senator SHANE MARTIN, the amendment was withdrawn.

**Amendment No. 37**

 Senators GREGORY, SHEHEEN, MALLOY, CROMER, PINCKNEY and COLEMAN proposed the following amendment (3710 FQHC.DOCX), which was adopted:

 Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 402, paragraph 33.31, line 32, by inserting at the end of the line:

 / *, and FQHC Look-A-Likes, including Genesis Healthcare and CareNet,*  /

 Amend the bill further, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 404, paragraph 33.34, line 7, by striking lines 7 and 8 and inserting:

 / *Centers (FQHCs, entities receiving funding under Section 330 of the Public Health Services Act, and FQHC Look-A-Likes, including Genesis Healthcare and CareNet), Rural Health Clinics (RHCs), Free Clinics, other clinics serving the uninsured, and Welvista.* /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator GREGORY explained the amendment.

 The amendment was adopted.

**Amendment No. 38**

 Senator MATTHEWS proposed the following amendment (DG JWMUTILITIES), which was adopted:

 Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, beginning on page 463, by striking paragraph 84.9 and inserting:

 / 84.9. (DOT: Utilities Relocation) (A) From the funds appropriated to the Department of Transportation, there is established the Utilities Relocation Study Committee to review, study, and make recommendations concerning the need for improved coordination and funding of the relocation of water and sewer facilities, and the facilities of public utilities as defined in Title 58 of the 1976 Code, located within the public rights-of-way when such relocation is required due to the construction or improvement of roads and bridges in the state.

 (B) The Utilities Relocation Study Committee is to:

 (1) identify and categorize a statewide estimate of the historical, current and anticipated costs associated with the relocation of water and sewer and public utilities inside and outside the rights-of-way owned by state agencies, counties, municipalities, or local water or sewer districts resulting from highway projects;

 (2) determine as accurately as possible the percentage of the statewide cost estimate attributable to South Carolina Department of Transportation projects, State Transportation Infrastructure Bank projects, local-option sales tax projects involving state roads, local road projects, and County Transportation Committee projects;

 (3) identify potential sources of sustainable funds that may be used by state agencies, counties, municipalities, local water or sewer districts, or public utilities for utility relocation costs including, but not limited to, existing state and federal loan and grant programs, appropriations from the state general fund, contributions from public utilities, and other sustainable sources;

 (4) identify any legal obstacles that impact the ability of state agencies, counties, municipalities, or local water or sewer districts to fund the relocation of utilities;

 (5) investigate the creation of a utilities relocation trust fund to assist in relocation costs either through loans, grants, matching funds, or other means, and recommend the appropriate entity to house and administer the trust fund, the terms and conditions under which funding might be provided, and the general criteria used for evaluating funding applications;

 (6) identify ways to improve coordination and reduce impacts through the use of communication, technology and improved management techniques; and

 (7) recommend changes to public policy, regulations, or statutes that would improve funding or reduce costs associated with utility relocations resulting from road and bridge projects.

 (C) The Utilities Relocation Study Committee must be composed of fifteen members. Notwithstanding the provisions of Section 8-13-770, the committee is composed of:

 (1) one member appointed by the President Pro Tempore of the Senate;

 (2) one member appointed by the Speaker of the House of Representatives;

 (3) one member appointed by the Majority Leader of the Senate;

 (4) one member appointed by the Majority Leader of the House of Representatives;

 (5) one member appointed by the Minority Leader of the Senate;

 (6) one member appointed by the Minority Leader of the House of Representatives;

 (7) one member appointed by the Governor;

 (8) the Secretary of Transportation, or his designee;

 (9) the Chairman of the South Carolina Department of Transportation Commission, or his designee;

 (10) one member representing the South Carolina Rural Water Association;

 (11) one member representing the Water Utility Council of South Carolina;

 (12) one member representing the South Carolina Water Quality Association;

 (13) one member representing the Municipal Association of South Carolina;

 (14) one member representing the South Carolina Association of Counties; and

 (15) one member representing the South Carolina Association of Special Purpose Districts.

 (D) The members of the study committee shall serve without compensation and may not receive mileage or per diem.

 (E) The Utilities Relocation Study Committee shall make a report of its findings and recommendations to the General Assembly no later than ~~June 30, 2013~~ *January 15, 2014*, at which time the study committee terminates. /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator MATTHEWS explained the amendment.

 The amendment was adopted.

**Amendment No. 32**

 Senator GROOMS proposed the following amendment (3710R007.LKG.DOCX), which was subsequently tabled:

 Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 464, by adding an appropriately numbered new proviso to read:

 / *84. . (DOT: Resurfacing and Bridge Repair) Ten percent of recurring new revenue for the current fiscal year must be credited to the State Highway Fund. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years.* /

 Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 539, by striking lines 31-34 and inserting:

 / *(B) The first ten percent of the revenue available for appropriation in this provision is appropriated to the Department of Transportation to serve as the match requirement for active federal aid eligible bridge replacement projects currently programmed in the Statewide Transportation Improvement Program (STIP) and Act 114 prioritized rehabilitation projects approved by the commission for future inclusion in the STIP as of May 1, 2013. Unexpended funds appropriated to the Department of Transportation pursuant this subsection (B) related to bridge replacement and road rehabilitation may be carried forward to succeeding fiscal years and expended for the same purpose. The appropriations from the remaining funds available in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.* /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator GROOMS explained the amendment.

**ACTING PRESIDENT PRESIDES**

 At 12:36 P.M., Senator LARRY MARTIN assumed the Chair.

 Senator GROOMS resumed explaining the amendment.

**PRESIDENT PRESIDES**

 At 1:00 P.M., the PRESIDENT assumed the Chair.

**RECESS**

 At 1:05 P.M., with Senator GROOMS retaining the floor, on motion of Senator LEATHERMAN, with unanimous consent, the Senate receded from business until 2:00 P.M.

 At 2:00 P.M., the Senate resumed.

 The Senate resumed consideration of Amendment No. 45.

 Senator GROOMS spoke on the amendment.

**Point of Quorum**

 At 2:05 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Peeler Scott Setzler

Shealy Thurmond Turner

Williams Young

 A quorum being present, the Senate resumed.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 118.5 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 **118.5.** (SR: Criminal Justice Academy Funding) (A) In addition to all other assessments and surcharges, during the current fiscal year, a five dollar surcharge to fund training at the South Carolina Criminal Justice Academy is also levied on all fines, forfeitures, escheatments, or other monetary penalties imposed in the general sessions court or in magistrates’ or municipal court for misdemeanor traffic offenses or for non-traffic violations. No portion of the surcharge may be waived, reduced, or suspended. The additional surcharge imposed by this section does not apply to parking citations.

 (B) The revenue collected pursuant to subsection (A) must be retained by the jurisdiction, which heard or processed the case and paid to the State Treasurer within thirty days after receipt. The State Treasurer shall transfer the revenue quarterly to the South Carolina Criminal Justice Academy.

 (C) The State Treasurer may request the State Auditor to examine the financial records of any jurisdiction which he believes is not timely transmitting the funds required to be paid to the State Treasurer pursuant to subsection (B). The State Auditor is further authorized to conduct these examinations and the local jurisdiction is required to participate in and cooperate fully with the examination.

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 45.6 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 **45.6.** (CU-PSA: Fertilizer Inspection Fee) For the current fiscal year Clemson Public Service Activities is authorized to charge an inspection fee of $1.50 per ton of commercial fertilizer sold or distributed in this State. Clemson University-PSA may retain, expend, and carry forward these funds to maintain its programs.

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator SHANE MARTIN raised a Point of Order under Rule 24A that Proviso 1.75 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***1.75.*** *(SDE: Public Charter Pupil Counts) With funds appropriated to the South Carolina Public Charter School District, the district must require each charter school to submit a student attendance report for the 5th, 45th, 90th and 135th days. Reporting requirements shall include both Average Daily Membership and Weighted Pupil Unit membership. The South Carolina Public Charter School District shall then provide the data for each charter school to the Department of Education. Quarterly, the department will submit the information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee.*

 *The South Carolina Public Charter School District must also require each virtual charter school to collect the following information: (1) the reason or reasons why each student enrolled in the virtual charter school district from both the parent(s) and the referring school district; and (2) the reason or reasons why a student withdrew from the virtual charter school district. This data must be provided to the Department of Education quarterly and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the enrollment and withdrawal information.*

 The PRESIDENT took the Point of Order under advisement.

 Senator CLEARY argued contra to the adoption of Amendment No. 32.

**ACTING PRESIDENT PRESIDES**

 At 2:26 P.M., Senator LARRY MARTIN assumed the Chair.

 Senator CLEARY argued contra to the adoption of Amendment No. 32.

 Senator BRIGHT spoke on the amendment.

 Senator LOURIE spoke on the amendment.

 Senator LEATHERMAN spoke on the amendment.

 Senator LEATHERMAN moved to lay the amendment on the table.

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

**Ayes 22; Nays 21**

**AYES**

Alexander Allen Campbell

Cleary Coleman Courson

Cromer Fair Ford

Hayes Jackson Leatherman

Lourie *Martin, Larry* Matthews

McGill Rankin Reese

Scott Setzler Sheheen

Williams

**Total--22**

**NAYS**

Bennett Bright Bryant

Campsen Corbin Davis

Gregory Grooms Hembree

Hutto Johnson Malloy

*Martin, Shane* Massey McElveen

Peeler Shealy Thurmond

Turner Verdin Young

**Total--21**

 The amendment was laid on the table.

**Amendment No. 46**

 Senators GROOMS, CAMPBELL, CAMPSEN and SETZLER proposed the following amendment (3710R031.LKG.DOCX), which was adopted:

 Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 464, paragraph 84.13, by striking line 18 and inserting:

 /*84.13. (DOT: Hanahan Permit Negotiation)* *With the funds authorized for the Department of Transportation, the department shall initiate negotiations between the City of Hanahan, the United States Army Corps of Engineers, CSX Railroad, and other applicable entities to demonstrate the valid purpose and need for the necessary permit required to complete the Railroad Avenue Extension project in the City of Hanahan. The department shall provide a report to the members of the Berkeley County Delegation and the Berkeley, Charleston, and Dorchester Council of Governments and CHATS detailing the history of the project, status of the negotiations, and a plan for completion. The report shall be completed by June 30, 2014.*  /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 The amendment was adopted.

**Amendment No. 47**

 Senators MASSEY and SHEHEEN proposed the following amendment (3710R027.ASM.DOCX), which was adopted:

 Amend the bill, as and if amended, Part IB, Section 101, BUDGET AND CONTROL BOARD, page 489, after line 28, by adding an appropriately numbered new proviso to read:

 /*101.\_\_. (BCB: Deficit Recognition) For Fiscal Year 2013‑14, the provisions of Section 1‑11‑495 and Section 11‑9‑890 of the 1976 Code are suspended.* /

 Amend the bill further, as and if amended, Part IB, Section 101, BUDGET AND CONTROL BOARD, page 489, after line 28, by adding an appropriately numbered new proviso to read:

 /*101.\_\_. (BCB: Forecast) (1) If at the end of the first, second, or third quarter of any fiscal year the Board of Economic Advisors reduces the revenue forecast for the fiscal year by three percent or less below the amount projected for the fiscal year in the forecast in effect at the time the general appropriations bill for the fiscal year is ratified, within three days of that determination, the Director of the State Budget Office must reduce general fund appropriations by the requisite amount to avoid a year-end deficit as provided in this proviso. Upon making the reduction, the Director of the State Budget Office immediately must notify the State Treasurer and the Comptroller General of the reduction and, upon notification, the appropriations are considered reduced. No agencies, departments, institutions, activity, program, item, special appropriation, or allocation for which the General Assembly has provided funding in any part of this section may be discontinued, deleted, or deferred by the Director of the State Budget Office . A reduction of rate of expenditure by the Director of the State Budget Office, under authority of this section, must be applied as uniformly as shall be practicable, except that no reduction must be applied to funds encumbered by a written contract with the agency, department, or institution not connected with state government.*

 *(2) If at the end of the first, second, or third quarter of any fiscal year the Board of Economic Advisors reduces the revenue forecast for the fiscal year by more than three percent below the amount projected for the fiscal year in the forecast in effect at the time the general appropriations bill for the fiscal year is ratified, the President Pro Tempore of the Senate and the Speaker of the House of Representatives may call each respective house into session to take action to avoid a year‑end deficit. If the General Assembly has not taken action within twenty days of the determination of the Board of Economic Advisors, the Director of the State Budget Office must reduce general fund appropriations by the requisite amount in the manner prescribed by item (1) above. /*

 Amend the bill further, as and if amended, Part IB, Section 101, BUDGET AND CONTROL BOARD, page 489, after line 28, by adding an appropriately numbered new proviso to read:

 /*101.\_\_. (BCB: Deficit Prevention and Recognition)*  *(A) It is the responsibility of each state agency, department, and institution to operate within the limits of appropriations set forth in the annual general appropriations act, appropriation acts, or joint resolution supplemental thereto, and any other approved expenditures of monies. A state agency, department, or institution shall not operate in a manner that results in a year‑end deficit except as provided in this proviso.*

 *(B)(1) If at the end of each quarterly deficit monitoring review by the State Budget Office, it is determined by either the State Budget Office or a state agency, department, or institution that the likelihood of a deficit for the current fiscal year exists, the state agency shall notify the General Assembly within fifteen days of this determination and shall further request the State Budget Office to work with it to develop a plan to avoid the deficit. Within fifteen days of the deficit avoidance plan being completed, the State Budget Office shall:*

 *(a) recognize the deficit, in the manner provided in subsection (C) if it determines that the deficit avoidance plan will not be sufficient to avoid a deficit, the projected deficit is less than one million dollars, and the General Assembly is adjourned Sine Die;*

 *(b) request the General Assembly to recognize the deficit in the manner provided in subsection (C)(2) if it determines the deficit avoidance plan will not be sufficient to avoid a deficit and the projected deficit is equal to or greater than one million dollars, regardless of whether the General Assembly is adjourned Sine Die; or*

 *(c) notify the General Assembly of how the deficit will be avoided based on the deficit avoidance plan if the State Budget Office determines the plan will be sufficient to avoid a deficit.*

 *(2) The State Budget Office must notify the General Assembly as soon as practicable when it determines that it will proceed with a deficit recognition pursuant to subsection (B)(1)(a).*

 *(3) If the State Budget Office requests that the General Assembly recognize the deficit in the manner provided in subsection (C)(2) and the General Assembly is adjourned Sine Die, the Speaker of the House and Pro Tempore of the Senate may call each respective house into session to address the deficit.*

 *(C)(1)(a) When a deficit avoidance plan will not be sufficient to avoid a deficit, the projected deficit is less than one million dollars, and the General Assembly is adjourned Sine Die, the State Budget Office may recognize the deficit if the deficit is unavoidable due to factors which are outside the control of the state agency, department, or institution. Subject to the provisions contained in item (b) below, a deficit recognized by the State Budget Office must, at the close of the fiscal year, reduce the actual deficit, as necessary, from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and then, to the extent no surplus revenues or surplus funds are available, first from funds available in the Capital Reserve Fund and then from funds available in the General Reserve Fund as required by the Constitution of this State.*

 *(b) During its next ensuing regular session following a deficit recognition by the State Budget Office, the General Assembly may make a finding that the cause of, or likelihood of, a deficit is unavoidable due to factors which are outside the control of the state agency, department, or institution that was the subject of deficit recognition and recognize the deficit in the manner provided in subsection (C)(2). If the General Assembly does not recognize the deficit prior to Sine Die adjournment of its next ensuing regular session, the deficit recognized by the State Budget Office shall remain effective and its provisions shall be implemented.*

 *(2)(a) Upon notification from the State Budget Office as provided in subsection (B)(1)(b) that an agency will run a deficit and requesting that it be recognized, the General Assembly, by joint resolution, may make a finding that the cause of, or likelihood of, a deficit is unavoidable due to factors which are outside the control of the state agency, department, or institution, and recognize the deficit. Any legislation to recognize a deficit must be in a separate joint resolution enacted for the sole purpose of recognizing the deficit of a particular state agency, department, or institution. A deficit only may be recognized by an affirmative vote of each branch of the General Assembly.*

 *(b) If the General Assembly recognizes the deficit, then the actual deficit at the close of the fiscal year must be reduced as necessary from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and then, to the extent no surplus revenues or surplus funds are available, first from funds available in the Capital Reserve Fund and then from funds available in the General Reserve Fund as required by the Constitution of this State.*

 *(D) Once a deficit has been recognized pursuant to this proviso, the state agency, department, or institution shall limit travel and conference attendance to that which is deemed essential by the director of the agency, department, or institution. In addition, when recognizing a deficit, the General Assembly or the State Budget Office, as the case may be, may condition recognition on a requirement that any pay increases and purchases of equipment and vehicles must be approved by the State Budget Office.* /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator MASSEY explained the amendment.

 The amendment was adopted.

**Amendment No. 48**

 Senator CROMER proposed the following amendment (DG RECPLANE), which was carried over:

 Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 508, paragraph 117.23, by striking line 23 and inserting:

 / not include ~~attending a press conference, bill signing, or~~ *a* political function. /

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator CROMER explained the amendment.

 Senator HUTTO moved to lay the amendment on the table.

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

**Ayes 15; Nays 27**

**AYES**

Allen Bright Coleman

Davis Ford Hutto

Jackson Lourie Malloy

Matthews McElveen Reese

Scott Setzler Sheheen

**Total--15**

**NAYS**

Alexander Bennett Bryant

Campbell Campsen Cleary

Corbin Courson Cromer

Fair Gregory Grooms

Hayes Hembree Leatherman

*Martin, Larry Martin, Shane* Massey

McGill Peeler Rankin

Shealy Thurmond Turner

Verdin Williams Young

**Total--27**

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

 Senator HUTTO argued against the adoption of the amendment.

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

**PRESIDENT PRESIDES**

 At 3:39 P.M., the PRESIDENT assumed the Chair.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 1.83 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***1.83.*** *(SDE: Child Development Education Pilot Program) There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the current school year on a voluntary basis and shall focus on the developmental and learning support that children must have in order to be ready for school and must incorporate parenting education.*

 *(A) For the current school year, with funds appropriated by the General Assembly, the South Carolina Child Development Education Pilot Program shall first be made available to eligible children from the trial and plaintiff school districts in the Abbeville County School District et al vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of seventy-five percent or greater.*

 *Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.*

 *(B) Each child residing in the pilot districts, who will have attained the age of four years on or before September first, of the school year, and meets the at-risk criteria is eligible for enrollment in the South Carolina Child Development Education Pilot Program for one year.*

 *The parent of each eligible child may enroll the child in one of the following programs:*

 *(1) a school-year four-year-old kindergarten program delivered by an approved public provider; or*

 *(2) a school-year four-year-old kindergarten program delivered by an approved private provider.*

 *The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child’s birth certificate, immunization documentation, and documentation of the student’s eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the U.S. Department of Health and Human Services or a statement of Medicaid eligibility.*

 *In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of 6.5 hours of instructional time daily and operates for a period of not less than one hundred eighty days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.*

 *No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this provision. Nothing in this provision prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.*

 *If by October first of the school year at least seventy-five percent of the total number of eligible CDEPP children in a district or county are projected to be enrolled in CDEPP, Head Start or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, CDEPP providers may then enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales and may receive reimbursement for these children if funds are available.*

 *(C) Public school providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Department of Education. Private providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this provision, and will comply with all reporting and assessment requirements.*

 *Providers shall:*

 *(1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;*

 *(2) comply with all state and local health and safety laws and codes;*

 *(3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;*

 *(4) be accountable for meeting the education needs of the child and report at least quarterly to the parent/guardian on his progress;*

 *(5) comply with all program, reporting, and assessment criteria required of providers;*

 *(6) maintain individual student records for each child enrolled in the program to include, but not be limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;*

 *(7) designate whether extended day services will be offered to the parents/guardians of children participating in the program;*

 *(8) be approved, registered, or licensed by the Department of Social Services; and*
 *(9) comply with all state and federal laws and requirements specific to program providers.*

 *Providers may limit student enrollment based upon space available. However, if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved pre-kindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.*

 *(D) The Department of Education and the Office of First Steps to School Readiness shall:*

 *(1) develop the provider application form;*

 *(2) develop the child enrollment application form;*

 *(3) develop a list of approved research-based preschool curricula for use in the*

*rogram based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;*

 *(4) develop a list of approve pre-kindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;*

 *(5) establish criteria for awarding new classroom equipping grants;*

 *(6) establish criteria for the parenting education program providers must offer;*

 *(7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;*

 *(8) develop a list of data collection needs to be used in implementation and evaluation of the program;*

 *(9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;*

 *(10) establish criteria for granting student retention waivers; and*

 *(11) establish criteria for granting classroom size requirements waivers.*

 *(E) Providers of the South Carolina Child Development Education Pilot Program shall offer a complete educational program in accordance with age-appropriate instructional practice and a research based preschool curriculum aligned with school success. The program must focus on the developmental and learning support children must have in order to be ready for school. The provider must also incorporate parenting education that promotes the school readiness of preschool children by strengthening parent involvement in the learning process with an emphasis on interactive literacy.*

 *Providers shall offer high-quality, center-based programs that must include, but shall not be limited to, the following:*

 *(1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education or the Office of First Steps to School Readiness;*

 *(2) employ an education assistant with pre-service or in-service training in early childhood education;*

 *(3) maintain classrooms with at least ten four-year-old children, but no more than twenty four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of ten children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;*

 *(4) offer a full day, center-based program with 6.5 hours of instruction daily for one hundred eighty school days;*

 *(5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social/emotional development;*

 *(6) engage parents’ participation in their child’s educational experience that shall include a minimum of two documented conferences per year; and*

 *(7) adhere to professional development requirements outlined in this article.*

 *(F) Every classroom providing services to four-year-old children established pursuant to this provision must have a lead teacher with at least a two-year degree in early childhood education or related field and who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years. Every classroom must also have at least one education assistant per classroom who shall have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The teaching assistant shall have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children five years old and younger. The providers must request this waiver in writing to their designated administrative agency (First Steps or the Department of Education) and provide appropriate documentation as to the qualifications of the teaching assistant.*

 *(G) The General Assembly recognizes there is a strong relationship between the skills and preparation of pre-kindergarten instructors and the educational outcomes of students. To improve these education outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Development Education Pilot Program to participate annually in a minimum of fifteen hours of professional development to include teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of pre-kindergarten students in developing emergent literacy skills, including but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.*

 *(H) Both public and private providers shall be eligible for transportation funds for the transportation of children to and from school. Nothing within this provision prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four-year-old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount appropriated for the program, not more than $185 per student shall be retained by the Department of Education for the purposes of transporting four-year-old students. This amount must be increased annually by the same projected rate of inflation as determined by the Division of Research and Statistics of the Budget and Control Board for the Education Finance Act.*

 *(I) For all private providers approved to offer services pursuant to this provision, the Office of First Steps to School Readiness shall:*

 *(1) serve as the fiscal agent;*

 *(2) verify student enrollment eligibility;*

 *(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider’s availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;*

 *(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;*

 *(5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;*

 *(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;*

 *(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;*

 *(8) maintain a database of the children enrolled in the program; and*

 *(9) promulgate guidelines as necessary for the implementation of the pilot program.*

 *(J) For all public school providers approved to offer services pursuant to this provision, the Department of Education shall:*

 *(1) serve as the fiscal agent;*

 *(2) verify student enrollment eligibility;*

 *(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider’s availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;*

 *(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;*

 *(5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;*

 *(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;*

 *(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;*

 *(8) maintain a database of the children enrolled in the program; and*

 *(9) promulgate guidelines as necessary for the implementation of the pilot program.*

 *(K) The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the current school year, the funded cost per child shall be $4,218 increased annually by the rate of inflation as determined by the Division of Research and Statistics of the Budget and Control Board for the Education Finance Act. Eligible students enrolling with private providers during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall be eligible for a reimbursement of $550 per eligible child transported. Providers who are reimbursed are required to retain records as required by their fiscal agent. Providers enrolling between one and six eligible children shall be eligible to receive up to $1,000 per child in materials and equipment grant funding, with providers enrolling seven or more such children eligible for grants not to exceed $10,000. Providers receiving equipment grants are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.*

 *(L) Pursuant to this provision, the Department of Social Services shall:*

 *(1) maintain a list of all approved public and private providers; and*

 *(2) provide the Department of Education and the Office of First Steps information necessary to carry out the requirements of this provision.*

 *(M) The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers.*

 *(N) Of the funds appropriated, $300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January 15 of each year. The evaluation shall include, but is not limited to: (1) student data including the number of at-risk four-year-old kindergarten students served in publically funded programs, by county and by program; (2) program effectiveness including developmentally appropriate assessments of children to measure emerging literacy and numeracy; (3) individual classroom assessments to determine program quality; (4) longitudinal analysis of academic and non-academic measures of success for children who participated in the program; and (5) an evaluation of the professional development, monitoring and assistance offered to public and private providers.*

 *To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.*

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 1A.51 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 **1A.51.** (SDE-EIA: Flexibility) Funds received by districts from the School Building Aid Program may be flexed in the current fiscal year.

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator SHANE MARTIN raised a Point of Order under Rule 24A that Proviso 38.22 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 **38.22.** (DSS: Day Care Facilities Supervision Ratios) For ~~Fiscal Year 2012-13~~ *the current fiscal year*, staff-child ratios contained in Regulations 114-504(B), 114-504(C), 114-524(B), and 114-524(C) shall remain at the June 24, 2008 levels.

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 1A.57 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***1A.57.*** *(SDE-EIA: XII.A.1 - Aid to Districts Draw Down) For Fiscal Year 2013-14, in order to draw down funds appropriated in Part IA, Section 1, XII.A.1, Aid to Districts, a school district must work with local law enforcement agencies, and when necessary, state law enforcement agencies in order to ensure that the district has an updated school safety plan in place. The safety plan must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plan must be submitted to the Department of Education no later than September 1, 2013. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee and the Chairman of the Senate Education Committee by September 30, 2013, on any districts that failed to submit an updated plan.*

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 11.18 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***11.18.*** *(CHE: SmartState Draw Down) The Commission on Higher Education, upon receipt of the dollar-for-dollar non-state match for a SmartState "South Carolina Center of Economic Excellence" required pursuant to Section 2-75-50 of the 1976 Code, and after State Budget Division approval, shall be authorized to draw down previously appropriated lottery funds that had been held in trust until matching funds were on hand. The commission shall submit required documentation to the State Budget Division for approval of such draw downs, including proof that the required match is on hand, and the State Budget Division shall notify the Other Funds Oversight Committee of an authorization approved for this purpose. The requirements of proviso 91.21 contained in this act shall not apply to circumstances described by this proviso.*

 The PRESIDENT took the Point of Order under advisement.

**Point of Order**

 Senator BRYANT raised a Point of Order under Rule 24A that Proviso 34.46 of Part 1B was out of order inasmuch as it was not germane to the Bill.

 ***34.46.*** *(DHEC: Solid Waste Management Trust Fund Flexibility) For the current fiscal year, any funds from the Solid Waste Management Trust Fund may be used for the purpose of grants to local governments for electronics waste processing.*

 The PRESIDENT took the Point of Order under advisement.

**Amendment No. 51**

 Senator MASSEY proposed the following amendment (3710R030.ASM.DOCX), which was not adopted:

 Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, line 5, by striking:

 /*(h) Southeastern Wildlife Expo $ 200,000;*/

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator MASSEY explained the amendment.

 Senator CAMPBELL moved to lay the amendment on the table.

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

**Ayes 20; Nays 23**

**AYES**

Allen Campbell Cleary

Coleman Ford Hutto

Jackson Johnson Leatherman

Lourie Malloy Matthews

McElveen McGill Rankin

Reese Scott Setzler

Sheheen Williams

**Total--20**

**NAYS**

Alexander Bennett Bright

Bryant Campsen Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree *Martin, Larry*

*Martin, Shane* Massey Peeler

Shealy Thurmond Turner

Verdin Young

**Total--23**

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

 Senator HUTTO argued contra to the adoption of the amendment.

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

**Ayes 21; Nays 22**

**AYES**

Bright Bryant Campsen

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

*Martin, Larry Martin, Shane* Massey

Peeler Shealy Thurmond

Turner Verdin Young

**Total--21**

**NAYS**

Alexander Allen Bennett

Campbell Cleary Coleman

Ford Hutto Jackson

Johnson Leatherman Lourie

Malloy Matthews McElveen

McGill Rankin Reese

Scott Setzler Sheheen

Williams

**Total--22**

 The amendment was not adopted.

**Amendment No. 63**

 Senator FAIR proposed the following amendment (LC GANG INVESTIGATION), which was adopted:

 Amend the bill, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 197, line 22, by:

 COLUMN 7 COLUMN 8

 / STRIKING: (3.00) (3.00)

 and

 INSERTING: (5.00) (5.00)/

 Amend the bill further, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 197, by inserting after line 22,

 COLUMN 7 COLUMN 8

 /“Law Enforcement Officer III” 0 0

  (2.00) (2.00)/

 Amend the bill further, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 197, line 30-31, by striking opposite:

 COLUMN 7 COLUMN 8

 Investigate & Prosecute

 Gang-Related Crime/ 300,000 300,000/

 Amend the bill further, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 197, by inserting after line 31,

 COLUMN 7 COLUMN 8

 /Investigation of Gang-Related

 Crimes 300,000 300,000/

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator FAIR explained the amendment.

 The amendment was adopted.

**Amendment No. 57**

 Senator SHANE MARTIN proposed the following amendment (DG SMLOCGOV), which was carried over:

 Amend the bill, as and if amended, Part IA, Section 110, AID TO SUBDIVISIONS - STATE TREASURER, page 323, line 3, by:

 COLUMN 7 COLUMN 8

 / STRIKING: 182,619,411 182,619,411

 and

 INSERTING: 253,600,787 253,600,787/

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator SHANE MARTIN explained the amendment.

**Point of Order**

 Senator BRIGHT raised a Point of Order that Section 110 of Part 1A was out of order inasmuch as it was violative of Rule 24A.

 Senator LEATHERMAN spoke on the Point of Order.

 Senator SHANE MARTIN spoke on the Point of Order.

 The PRESIDENT overruled the Point of Order.

 Senator SHANE MARTIN continued explaining the amendment.

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

**Amendment No. 64**

 Senator SHEHEEN proposed the following amendment (DAD ETV REVERT GF $), which was adopted:

 Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 4, line 8, opposite “OTHER OPERATING EXPENSES” by:

 COLUMN 7 COLUMN 8

 / STRIKING: 48,772,878 42,097,878

 and

 INSERTING: 43,943,597 37,268,597/

 Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 9, lines 34-35, by striking opposite:

 COLUMN 7 COLUMN 8

 ETV - K-12 PUBLIC

EDUCATION (H67) / 2,829,281 /

 Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 9, line 36, by striking opposite:

 COLUMN 7 COLUMN 8

 ETV - INFRASTRUCTURE

 (H67) / 2,000,000 /

 Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 10, line 2, opposite “OTHER OPERATING EXPENSES” by:

 COLUMN 7 COLUMN 8

 / STRIKING: 16,347,285

 and

 INSERTING: 21,176,566 /

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, lines 3-4, opposite PRESIDENT & GENERAL MGR. by:

 COLUMN 7 COLUMN 8

 / INSERTING: 125,190

 (1.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, lines 5-6, opposite CLASSIFIED POSITIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING 866,810

 (22.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, line 7, opposite OTHER PERSONAL SERVICES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 196,500/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, line 10, opposite OTHER OPERATING EXPENSES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 200,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, lines 18-19, opposite CLASSIFIED POSITIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING: 2,161,200

 (43.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, line 22, opposite OTHER OPERATING EXPENSES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 1,100,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, lines 28-29, opposite CLASSIFIED POSITIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING: 168,500

 (4.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, line 32, opposite OTHER OPERATING EXPENSES by:

 COLUMN 7 COLUMN 8

 / INSERTING 50,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 28, lines 39-40, opposite CLASSIFIED POSITIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING: 41,025

 (1.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 29, line 3, opposite OTHER OPERATING EXPENSES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 10,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 29, lines 11-12, opposite CLASSIFIED POSITIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING: 655,226

 (18.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 29, line 15, opposite OTHER OPERATING EXPENSES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 100,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 29, lines 25-26, opposite CLASSIFIED POSITIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING: 587,475

 (13.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 29, line 30, opposite OTHER OPERATING EXPENSES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 75,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 29, lines 36-37, opposite CLASSIFIED POSITIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING: 339,500

 (8.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 29, line 38, opposite OTHER PERSONAL SERVICES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 120,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 30, line 1, opposite OTHER OPERATING EXPENSES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 100,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 30, lines 7-8, opposite CLASSIFIED POSITIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING: 300,000

 (10.00)/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 30, line 11, opposite OTHER OPERATING EXPENSES by:

 COLUMN 7 COLUMN 8

 / INSERTING: 75,000/

 Amend the bill further, as and if amended, Part IA, Section 8, EDUCATIONAL TELEVISION COMMISSION, page 30, line 21, opposite EMPLOYER CONTRIBUTIONS by:

 COLUMN 7 COLUMN 8

 / INSERTING: 1,784,666/

 Amend the bill further, as and if amended, Part IA, Section 64, LAW ENFORCEMENT TRAINING COUNCIL, page 208, line 12-13, by striking opposite:

 COLUMN 7 COLUMN 8

 ETV-STATE & LOCAL

 TRAINING OF LAW

 ENFORCEME/ 140,000 140,000/

 Amend the bill further, as and if amended, Part IA, Section 101, BUDGET AND CONTROL BOARD, page 297, lines 1-2, by striking opposite:

 COLUMN 7 COLUMN 8

 ETV COVERAGE-LEG &

 PUBLIC AFFAIRS/ 688,269 688,269/

 Amend the bill further, as and if amended, Part IA, Section 101, BUDGET AND CONTROL BOARD, page 309, lines 18-19, by striking opposite:

 COLUMN 7 COLUMN 8

 EMERGENCY

 COMMUNICATIONS

 BACKBONE/ 434,244 434,244/

 Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 373, paragraph 1A.41 (ETV Teacher Training/Support), lines 22-24, by striking the proviso in its entirety.

 Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 522, proviso 117.87, line 30 after “directly” by inserting: / *for deposit into the State General Fund* /

 Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 525, paragraph 117.97 (Funds Transfer to ETV) , lines 15-20, by striking the proviso in its entirety.

 Renumber sections to conform.

 Amend sections, totals and title to conform.

 Senator SHEHEEN explained the amendment.

 The amendment was adopted.

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

**Motion Adopted**

 Senator COURSON moved that when the Senate adjourns today, it stand adjourned to meet at 10:00 A.M. tomorrow.

 The motion was adopted.

**MOTION ADOPTED**

 On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Carole Harrison of Greenville, S.C., beloved wife of Henry and devoted mother and doting grandmother. She had a unique way of bringing happiness and laughter to all those who knew her.

**ADJOURNMENT**

 At 6:17 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 10:00 A.M.

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