**Tuesday, May 21, 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:

At one point Isaiah painted a word-picture of a people adrift:

“Your rigging hangs loose: The mast is not held secure, the sail is not spread.” (Isaiah 33:23a)

Please join me as we bow and pray:

O Lord, help us to hear and perhaps to learn from the image that Isaiah used in this passage, referring as he does to his own nation as being a vessel clearly adrift and likely heading into danger. Holy God, by Your grace embolden and direct each one of these Senators that they might lead this Body in hopeful and positive directions. Guide them as they “fill the sails” of our Ship of State so that she might well move toward calm and blessed waters, all to Your glory, O God, and certainly for the benefit of every South Carolinian. This morning we also lift up to you all in Moore, Oklahoma, Lord: those whose lives were devastatingly changed in moments by the monster tornado that swept through their community. Comfort everyone who lost loved ones; hold tightly all who were injured in the fury of the storm; console those who lost their very homes. This we pray hopefully in Your loving name, dear Lord.

Amen.

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

**OBJECTION**

Senator BRYANT asked unanimous consent to make a motion to proceed to the Motion Period.

Senator SETZLER objected.

**Doctor of the Day**

Senator FAIR introduced Dr. Wendell James of Greenville, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator BRYANT, at 10:05 A.M., Senator GROOMS was granted a leave of absence for today.

**Leave of Absence**

At 1:45 P.M., Senator CLEARY requested a leave of absence beginning at 3:00 P.M. Thursday evening and lasting until Tuesday at 1:00 P.M.

**Leave of Absence**

At 1:45 P.M., Senator FAIR requested a leave of absence beginning at 8:00 P.M. this evening and lasting until 10:00 A.M. in the morning.

**Leave of Absence**

At 1:45 P.M., Senator SHANE MARTIN requested a leave of absence beginning at 10:00 P.M. Friday night and lasting until 7:30 A.M. Sunday morning.

**CO-SPONSORS ADDED**

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

S. 160 Sen. Larry Martin

S. 417 Sen. Davis

S. 711 Sen. Alexander

**Expression of Personal Interest**

Senator O’DELL rose for an Expression of Personal Interest.

**OBJECTION**

S. 657 -- Senator L. Martin: A BILL TO AMEND SECTION 22‑2‑190, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, RELATING TO MAGISTRATE JURY AREAS IN EACH COUNTY, SO AS TO REVISE AND UPDATE THE TERRITORIAL DESCRIPTIONS OF THE JURY AREAS AND PROVIDE REFERENCES TO PUBLIC MAPS SHOWING THE JURY AREAS.

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

Senator SHANE MARTIN objected.

**RECALLED**

H. 4051 -- Rep. Hosey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EAST FLAT STREET IN THE TOWN OF ALLENDALE FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO ITS INTERSECTION WITH THE CAMPUS PERIMETER OF ALLENDALE ELEMENTARY SCHOOL “FRANK D. SOLOMON MEMORIAL WAY”, AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “FRANK D. SOLOMON MEMORIAL WAY”.

Senator HUTTO asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 709 -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MR. RALPH GREER OF UNION, SOUTH CAROLINA FOR HIS OUTSTANDING CONTRIBUTIONS TO THE FIELD OF JOURNALISM AND TO EXTEND TO HIM BEST WISHES FOR CONTINUED SUCCESS.

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

S. 710 -- Senators Scott, Campsen, Grooms, Hayes, Reese, Courson, Nicholson and Alexander: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF MOTOR VEHICLES BESTOW SPECIAL RECOGNITION UPON CONGRESSIONAL MEDAL OF HONOR RECIPIENTS COLONEL CHARLES MURRAY, JR., CORPORAL FREDDIE STOWERS, MAJOR GENERAL JAMES E. LIVINGSTON, SERGEANT FIRST CLASS WEBSTER ANDERSON, MASTER SERGEANT JOHN BAKER, JR., AND SEAMAN ROBERT BLAKE, AND THE WIVES OF COLONEL CHARLES MURRAY, JR., MAJOR GENERAL JAMES E. LIVINGSTON AND MASTER SERGEANT JOHN BAKER, JR., BY NAMING DEPARTMENT OF MOTOR VEHICLES' BUILDINGS IN THEIR HONOR.

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

**S. 710--Recalled**

Senator SCOTT asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

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

S. 711 -- Senators L. Martin and Alexander: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME THE L.E.C. ROAD OF S-39-90 THAT BEGINS ON SOUTH CAROLINA HIGHWAY 8 AND ENDS ON MCDANIEL AVENUE IN PICKENS, SOUTH CAROLINA, AS THE “C. DAVID STONE ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS ROAD THAT CONTAIN THE WORDS “C. DAVID STONE ROAD”.

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

**S. 711--Recalled**

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

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

S. 712 -- Senators Campsen and Davis: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE INCREDIBLE VOCAL TALENT OF CANDICE GLOVER OF BEAUFORT COUNTY AND TO CONGRATULATE HER FOR THE AMAZING MUSICAL PERFORMANCES THAT WON HER THE SEASON TWELVE TITLE OF AMERICAN IDOL.

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The Senate Resolution was adopted.

S. 713 -- Senator Lourie: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE A. C. FLORA HIGH SCHOOL VARSITY BOYS GOLF TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE 2013 CLASS AAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

H. 3013 -- Reps. Clyburn, M. S. McLeod, Jefferson, Williams, Hosey and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-25-110 SO AS TO REQUIRE REGIONAL TRANSPORTATION AUTHORITIES TO DEVELOP AND IMPLEMENT PROGRAMS WITHIN THEIR SERVICE AREAS THAT MAKE PUBLIC TRANSPORTATION AVAILABLE AT NO CHARGE FOR CERTAIN QUALIFYING VETERANS.

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

H. 4147 -- Reps. Funderburk, 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, 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 BRIGADIER GENERAL ROSS E. BEARD, JR., OF THE JOINT SERVICES DETACHMENT OF THE SOUTH CAROLINA MILITARY DEPARTMENT FOR HIS DEVOTED SERVICE TO THE PALMETTO STATE AND TO EXPRESS PROFOUND GRATITUDE TO HIM UPON THE OPENING OF THE ROSS BEARD COLLECTION AT THE CAMDEN ARCHIVES AND MUSEUM.

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

H. 4148 -- Reps. Funderburk, 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, 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 CONGRATULATE PEARLE WEEKS STOVEKEN UPON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

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

H. 4164 -- Rep. Hodges: A CONCURRENT RESOLUTION TO CONGRATULATE QUINCY PRUITT KNIGHTON OF BEAUFORT COUNTY, UPON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY MORE YEARS OF CONTINUED HEALTH AND HAPPINESS.

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

H. 4176 -- Reps. Quinn, 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, 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, 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 HONOR AND COMMEND ONE OF THE SOUTH CAROLINA ARMY NATIONAL GUARD'S MOST DECORATED AND DISTINGUISHED UNITS, THE 122ND ENGINEER BATTALION, FOR ITS SERVICE TO OUR STATE AND NATION, AND TO EXTEND BEST WISHES AND GODSPEED TO THE MEMBERS OF THIS BATTALION FOR A SUCCESSFUL CONCLUSION TO THEIR CURRENT ASSIGNMENT IN AFGHANISTAN AND SAFE TRANSPORT HOME.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 35 -- Senator Campsen: A BILL TO AMEND CHAPTER 131, TITLE 44 OF THE 1976 CODE, TO ENACT THE “HEALTHCARE SHARING MINISTRIES FREEDOM TO SHARE ACT” BY ADDING SECTION 44‑131‑10 TO PROVIDE THAT A HEALTHCARE SHARING MINISTRY IS A FAITH‑BASED, NONPROFIT, TAX‑EXEMPT ORGANIZATION THAT ESTABLISHES CRITERIA AND PROCEDURES TO FACILITATE MATCHING PARTICIPANTS HAVING FINANCIAL OR MEDICAL NEEDS WITH OTHER PARTICIPANTS WHO ARE ABLE TO ASSIST IN MEETING THOSE NEEDS OR THAT HELPS PROVIDE FOR THE FINANCIAL OR MEDICAL NEEDS OF A PARTICIPANT THROUGH CONTRIBUTIONS OF ANOTHER PARTICIPANT AND TO FURTHER PROVIDE THAT SUCH A HEALTHCARE SHARING MINISTRY IS NOT ENGAGING IN THE BUSINESS OF INSURANCE.

Ordered for consideration tomorrow.

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

H. 3161 -- Reps. Spires and Toole: A BILL TO AMEND SECTION 40‑43‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO DEFINE ADDITIONAL TERMS; TO AMEND SECTION 40‑43‑86, RELATING TO COMPOUNDING PHARMACIES, SO AS TO REVISE MINIMUM GOOD COMPOUNDING PRACTICES, TO PROVIDE A PHARMACIST MUST PERFORM A FINAL CHECK ON A PRODUCT COMPOUNDED BY A PHARMACY TECHNICIAN, TO MODIFY REQUIREMENTS FOR AN AREA USED FOR COMPOUNDING IN A PHARMACY, TO PROVIDE PHARMACISTS SHALL ENSURE CERTAIN EXPECTED FEATURES OF INGREDIENTS USED IN A FORMULATION, TO PROVIDE A MEANS FOR DETERMINING THE MAXIMUM BEYOND‑USE DATE OF AN EXCESS AMOUNT OF A SPECIFIC COMPOUND IN CERTAIN CIRCUMSTANCES, TO REQUIRE CERTAIN WRITTEN POLICIES AND PROCEDURES APPLICABLE TO A COMPOUNDING AREA, AND TO PROVIDE THAT MATERIAL DATA SAFETY MUST BE READILY ACCESSIBLE TO PHARMACY PERSONNEL WHO WORK WITH DRUG SUBSTANCES OR BULK CHEMICALS, AND TO DELETE OBSOLETE LANGUAGE; AND TO AMEND SECTION 40‑43‑88, RELATING TO THE HANDLING OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REVISE ASSOCIATED STANDARDS AND TO BROADEN THE APPLICATION OF THESE STANDARDS TO INCLUDE OTHER FACILITIES PERMITTED BY THE BOARD, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator FAIR from the Committee on Corrections and Penology submitted a favorable report on:

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 17, 2009, and to expire March 17, 2015

5th Congressional District:

Henry S. Eldridge, 2040 Manila Bay Lane, Tega Cay, SC 29708 *VICE* Alan Gardner (resigned 4/24/13)

Received as information.

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

Initial Appointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 1, 2010, and to expire June 1, 2014

Pathologist:

Tanya T. Wilson, 521 Woodlock Lane, Columbia, SC 29229 *VICE* Sarah Hamrick

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2008, and to expire June 30, 2014

4th Congressional District:

David M. Banks, 402 Netherland Lane, Simpsonville, SC 29681 *VICE* vacant

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2013, and to expire June 30, 2019

5th Congressional District:

Marvin Hyatt, Sr., 1775 Overbrook Dr., Rock Hill, SC 29732 *VICE* Hubert F. Mobley

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2012, and to expire June 30, 2018

7th Congressional District:

Spencer A. Morris, 128 Belle Isle Road, Georgetown, SC 29440 *VICE* New Seat

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2012, and to expire June 30, 2018

6th Congressional District:

Terry A. Blackmon, 15250 Highway 301, New Zion, SC 29111 *VICE* Joseph D. Bushardt

Received as information.

**HOUSE CONCURRENCE**

S. 709 -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MR. RALPH GREER OF UNION, SOUTH CAROLINA FOR HIS OUTSTANDING CONTRIBUTIONS TO THE FIELD OF JOURNALISM AND TO EXTEND TO HIM BEST WISHES FOR CONTINUED SUCCESS.

Returned with concurrence.

Received as information.

**Message from the House**

Columbia, S.C., May 21, 2013

Mr. President and Senators:

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

S. 22 -- Senators Sheheen, Massey, L. Martin, Hayes, Campsen, Nicholson, Young and Alexander: A BILL TO ENACT THE “SOUTH CAROLINA RESTRUCTURING ACT OF 2013” BY ESTABLISHING THE DEPARTMENT OF ADMINISTRATION; TO PROVIDE FOR ITS COMPOSITION, POWERS, AND DUTIES; AND TO MAKE CONFORMING AMENDMENTS.

(Abbreviated title)

Respectfully submitted,

Speaker of the House

Received as information.

**Objection**

Senator LARRY MARTIN asked unanimous consent to make a motion to nonconcur in the House amendments.

Senator SHANE MARTIN objected.

**Objection**

Senator LARRY MARTIN asked unanimous consent to make a motion to nonconcur in the House amendments.

Senator BRIGHT objected.

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

**Message from the House**

Columbia, S.C., May 16, 2013

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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

**READ THE SECOND TIME**

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

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 31; Nays 1; Present 1**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Courson

Cromer Davis Hembree

Hutto Johnson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill O'Dell Peeler

Scott Setzler Shealy

Thurmond Turner Williams

Young

**Total--31**

**NAYS**

Fair

**Total--1**

**PRESENT**

Coleman

**Total--1**

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

**AMENDED, READ THE SECOND TIME**

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.

Senator MALLOY proposed the following amendment (509R002.GM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 10-13, and inserting:

/ (D) Any person who violates the provisions of this section shall be guilty of the misdemeanor offense of tampering with the operation of an electronic monitoring device and shall be imprisoned for not more than three years, or fined up to three thousand dollars, or both.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Hayes

Hembree Hutto Johnson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Scott

Setzler Shealy Thurmond

Turner Williams Young

**Total--36**

**NAYS**

**Total--0**

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

**MINORITY REPORT REMOVED**

S. 495 -- Senators Lourie and Rankin: A BILL TO AMEND SECTION 23‑3‑115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES FOR CRIMINAL RECORD SEARCHES, SO AS TO CLARIFY THE DEFINITION OF CHARITABLE ORGANIZATIONS WHICH PAY A REDUCED FEE TO INCLUDE LOCAL PARK AND RECREATION VOLUNTEERS THROUGH A COMMISSION, MUNICIPALITY, COUNTY, OR THE SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND TOURISM.

Senator SHANE MARTIN asked unanimous consent to remove his name from the minority report of the Bill.

There was no objection and proper notation was made on the Bill.

**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 MASSEY, the Bill 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 BRIGHT, the Joint Resolution 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.

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.

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

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.

Senator CAMPSEN explained the Bill.

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

**ADOPTED**

H. 3421 -- Rep. G.A. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 527 IN LEE COUNTY FROM MOUNT PLEASANT HIGH SCHOOL TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 76 “ISAAC C. JOE HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “ISAAC C. JOE HIGHWAY”.

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

H. 3525 -- Reps. Hayes, Barfield, Clemmons, H.A. Crawford, George, Goldfinch, Hardee, Hardwick and Ryhal: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF SOUTH CAROLINA HIGHWAYS 9 AND 410 IN HORRY COUNTY “LIEUTENANT JOHN RONALD FLOYD INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “LIEUTENANT JOHN RONALD FLOYD INTERSECTION”.

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

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

**AMENDED, AMENDMENT PROPOSED**

**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 SHANE MARTIN raised a Point of Order that Proviso 1.78 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

***1.78.*** *(SDE: Salary Negotiation) For Fiscal Year 2013-14, school districts uniformly may negotiate salaries below the school district salary schedule for the 2013-14 school year for retired teachers who are not participants in the teacher and employee retention incentive program.*

The PRESIDENT sustained the Point of Order.

Proviso 1.78 was ruled out of order.

**Amendment No. 113**

Senators HAYES and SCOTT proposed the following amendment (DAD 1M NEW BUSES WHJS), which was carried over:

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: 47,772,878 41,097,878/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 4, line 24, opposite Bus Purchases by:

COLUMN 7 COLUMN 8

/ STRIKING: 15,506 15,506

and

INSERTING: 1,015,506 1,015,506/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HAYES explained the amendment.

Senator SCOTT spoke on the amendment.

Senator SETZLER spoke on the amendment.

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

**Amendment No. 69**

Senators HAYES and SCOTT proposed the following amendment (DAD 3.5 LOTTERY5), which was adopted:

Amend the bill, as and if amended, Part IA, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 15, line 3, opposite LOTTERY EXPENDITURES by:

COLUMN 7 COLUMN 8

/ STRIKING: 268,240,000

and

INSERTING: 279,500,000 /

Amend the bill further, as and if amended, Part IA, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 15, line 4, opposite UNCLAIMED PRIZES by:

COLUMN 7 COLUMN 8

/ STRIKING: 12,400,000

and

INSERTING: 8,000,000 /

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, paragraph 3.5, line 16, item (1), by striking /*$43,000,000;*/ and inserting /*$47,400,000;*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, paragraph 3.5, line 31, item (13), by striking /*$50,000;*/ and inserting /*$1,050,000;*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, paragraph 3.5, line 34, item (14), at the end by striking /*and*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, line 35, item (15) by striking /*$3,000,000;*/ and inserting /*$4,000,000;/*

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, paragraph 3.5, after line 35, by adding appropriately numbered new items to read

/ *( ) Department of Education--New School Buses $3,510,000;*

*( ) State Library--Union County*

*Carnegie Library Renovations $1,250,000; and*

*( ) Department of Education--New Carolina*

*Transformation in Education $100,000.*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 382, paragraph 3.5, line 32, by striking /*$100,000*/ and inserting /*$1,700,000*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 382, paragraph 3.5, line 33, by striking /*$6,100,000*/ and inserting /*$1,700,000*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 383, paragraph 3.5, line 1, by striking /*$3,200,000*/ and inserting /*$1,600,000*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 383, paragraph 3.5, line 3, after “the first” by inserting / *$3,300,000 shall be directed to the Department of Education for new school buses. The next $2,000,000 shall be directed to the State Library for Aid to County Libraries. The next* /

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 383, paragraph 3.5, line 14, opposite “Department of Education--New School Buses” by striking /*$2,000,000*/ and inserting /*$3,500,000*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 383, paragraph 3.5, line 15, opposite “Department of Education--Textbooks” by striking /*$3,000,000*/ and inserting /*$1,500,000*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 383, paragraph 3.5, after line 11, by inserting:

/ *If the lottery revenue received from unclaimed prizes for Fiscal Year 2013-14 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HAYES explained the amendment.

Senator MALLOY spoke on the amendment.

Senator MALLOY moved to carry over the amendment.

Senator HAYES moved to table the motion to carry over.

The Senate tabled the motion to carry over. The question then was the adoption of the amendment.

Senator MALLOY spoke on the amendment.

Senator MALLOY moved to carry over the amendment.

Senator HAYES moved to table the motion to carry over.

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

**Ayes 25; Nays 14**

**AYES**

Alexander Campbell Campsen

Cleary Corbin Courson

Cromer Fair Gregory

Hayes Hembree Jackson

Leatherman Lourie *Martin, Larry*

Matthews McGill Nicholson

O'Dell Peeler Scott

Setzler Shealy Thurmond

Williams

**Total--25**

**NAYS**

Bennett Bright Bryant

Coleman Davis Ford

Johnson Malloy *Martin, Shane*

Massey McElveen Sheheen

Turner Young

**Total--14**

The motion to carry over was tabled.

The question then was the adoption of the amendment.

The amendment was adopted.

**Amendment No. 82**

Senator MASSEY proposed the following amendment (DAD 3.5 LOTTERY ASM HEEEP), which was carried over:

Amend the bill, as and if amended, Part IA, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 15, line 3, opposite LOTTERY EXPENDITURES by:

COLUMN 7 COLUMN 8

/ STRIKING: 268,240,000

and

INSERTING: 279,500,000 /

Amend the bill further, as and if amended, Part IA, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 15, line 4, opposite UNCLAIMED PRIZES by:

COLUMN 7 COLUMN 8

/ STRIKING: 12,400,000

and

INSERTING: 8,000,000 /

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, paragraph 3.5, line 16, item (1), by striking /*$43,000,000;*/ and inserting /*$47,400,000;*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, paragraph 3.5, line 34, item (14), at the end by striking /*and*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, line 35, item (15), after “*$3,000,000*” by inserting /*and*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 381, paragraph 3.5, after line 35, by adding an appropriately numbered new item to read

/ *( ) Department of Education--*

*New School Buses $6,860,000*. /

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 382, paragraph 3.5, lines 32-36 and page 383, lines 1-2, by striking the lines in their entirety and inserting: /*For Fiscal Year 2013-14, of the funds certified from unclaimed prizes, $1,700,000 shall be appropriated to the Commission on Higher Education and State Board for Technical and Comprehensive Education for Tuition Assistance Two Year Institutions, $3,350,000 shall be appropriated to the Department of Education for the purchase of new school buses, and $2,950,000 shall be appropriated to the Commission on Higher Education for the Higher Education Excellence Enhancement Program.* /

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 383, paragraph 3.5, lines 3-11, by striking the lines in their entirety and inserting: /*Of any unclaimed prize funds available in excess of the Board of Economic Advisors estimate, the first $1,000,000 shall be directed to the Commission on Higher Education for the Higher Education Excellence Enhancement Program and all additional revenue realized shall be directed to the Department of Education for new school buses.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

Senator HAYES spoke on the amendment.

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

**Amendment No. 99**

Senator SHANE MARTIN proposed the following amendment (DAD 84 NON FED AID HWY), which was carried over:

Amend the bill, as and if amended, Part IA, Section 84, DEPARTMENT OF TRANSPORTATION, page 259, line 15, opposite “other operating expenses” by:

COLUMN 7 COLUMN 8

/ STRIKING: 38,800,000

and

INSERTING: 338,800,000 300,000,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHANE MARTIN explained the amendment.

**RECESS**

At 1:00 P.M., with Senator SHANE MARTIN retaining the floor, on motion of Senator PEELER, with unanimous consent, the Senate receded from business until 1:30 P.M.

**AFTERNOON SESSION**

The Senate reassembled at 1:45 P.M. and was called to order by the PRESIDENT.

**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.

**AMENDED, AMENDMENT PROPOSED**

**DEBATE INTERRUPTED**

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

The Senate resumed consideration of the Bill, the question being the adoption of Amendment No. 99.

The Senate resumed consideration of Amendment No. 99.

Senator SHANE MARTIN resumed speaking on the amendment.

**Objection**

With Senator SHANE MARTIN retaining the floor, Senator LEATHERMAN asked unanimous consent to make a motion to take up Amendment No. 115 for immediate consideration.

Senator MALLOY objected.

Senator SHANE MARTIN resumed speaking on the amendment.

On motion of Senator SHANE MARTIN, Amendment No. 99 was carried over.

**Motion Adopted**

On motion of Senator HUTTO, with unanimous consent, Senators YOUNG, CORBIN and HUTTO were granted leave to attend a meeting and were granted leave to vote from the balcony.

**Amendment No. 54**

Senator GROOMS proposed the following amendment (3710R012.LKG.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 333, after line 5, by adding an appropriately numbered new proviso to read:

/ *1.\_\_\_. (SDE: Educational Credit) (A)(1) As used in subsection (A):*

*(a) ‘Independent school’ means a school, other than a public school, at which the compulsory attendance requirements of Section 59‑65‑10 may be met and that does not discriminate based on the grounds of race, color, or national origin. For purposes of this definition, ‘independent school’ does not include a home school as defined in item (b).*

*(b) ‘Home school’ means a home, residence, or location where a parent or legal guardian teaches one or more children as authorized pursuant to Section 59‑65‑40, 59‑65‑45, or 59‑65‑47.*

*(c) ‘Parent’ means the natural or adoptive parent or legal guardian of a child.*

*(d) ‘Qualifying student’ means a student who is a South Carolina resident and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the current school year.*

*(e) ‘Resident public school district’ means the public school district in which a student resides.*

*(f) ‘Tuition’ means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school and school‑related transportation.*

*(2)(a) For the 2013‑2014 school year, a parent or legal guardian who teaches one or more qualifying students at home as authorized pursuant to Section 59‑65‑40, 59‑65‑45, or 59‑65‑47 may take a deduction against their State of South Carolina taxable income of up to two thousand dollars per home school student for instruction‑related expenditures. This deduction is limited to a total of two thousand dollars per child regardless of the number of taxpayers incurring home school instruction‑related expenses on behalf of that child. The deduction allowed by this subsection is fully deductible on a 2013 state income tax return provided the qualifying student completes the school term for the 2013‑2014 school year.*

*(b) For the 2013‑2014 school year, a parent or legal guardian is entitled to a deduction against their State of South Carolina taxable income of up to four thousand dollars paid to an independent school within this State for tuition on behalf of their child or ward to attend the independent school for the school year. The child or ward must be a qualifying student as this term is defined in subsection (A)(1)(d). This deduction is limited to a total of four thousand dollars per child regardless of the number of taxpayers making tuition payments on behalf of that child. The deduction allowed by this subsection is fully deductible on a 2013 state income tax return provided the qualifying student completes the school term for the 2013‑2014 school year.*

*(c) For the 2013‑2014 school year, a parent or legal guardian is entitled to a deduction against their State of South Carolina taxable income of up to one thousand dollars paid on behalf of their child or ward to attend a school in a school district which is not the school district of residence of the child or ward. This deduction is limited to a total of one thousand dollars per child regardless of the number of taxpayers making payments to another school district on behalf of that child. The deduction allowed by this subsection is fully deductible on a 2013 state income tax return provided the qualifying student completes the school term for the 2013‑2014 school year.*

*(B)(1) As used in subsection (B):*

*(a) ‘Eligible school’ means an independent school including those religious in nature, other than a public or home school, at which the compulsory attendance requirements of Section 59‑65‑10 may be met, that:*

*(i) offers a general education to primary or secondary school students;*

*(ii) does not discriminate on the basis of race, color, or national origin;*

*(iii) is located in this State;*

*(iv) has an educational curriculum that includes courses set forth in the state’s diploma requirements and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;*

*(v) has school facilities that are subject to applicable federal, state, and local laws; and*

*(vi) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools or the South Carolina Independent Schools Association.*

*(b) ‘Nonprofit scholarship funding organization’ means a charitable organization that:*

*(i) is exempt from federal tax under Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the Code;*

*(ii) allocates, after its first year of operation, at least ninety‑five percent of its annual contributions and revenue received during a particular year to provide grants for tuition, transportation, or textbook expenses (collectively hereinafter referred to as tuition) or any combination thereof to children enrolled in an eligible school meeting the criteria of this section, and incurs administrative expenses annually, after its first year of operation, of not more than five percent of its annual contributions and revenue for a particular year;*

*(iii) allocates all of its funds used for grants on an annual basis to children who are ‘exceptional needs’ students as defined herein, or who are eligible for the federal free or reduced lunch program, or whose families meet the qualifications for federal Medicaid benefits;*

*(iv) does not provide grants solely for the benefit of one school, and if the Department of Revenue determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this section may be disallowed;*

*(v) does not have as a member of its governing board any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this section from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member; and*

*(vi) does not have as a member of its governing board any person who has been convicted of a felony, or who has declared bankruptcy within the last seven years.*

*(c) ‘Person’ means an individual, partnership, corporation, or other similar entity.*

*(d) ‘Transportation’ means transportation to and from school only.*

*(2) A person is entitled to a tax credit for the amount of money the person contributes to a nonprofit scholarship funding organization up to the limits of subsection (B) if:*

*(a) the contribution is used to provide grants for tuition, transportation, or textbook expenses or any combination thereof to children enrolled in eligible schools who qualify for these grants under the provisions of subsection (B); and*

*(b) the person does not designate a specific child or school as the beneficiary of the contribution.*

*(3)(a) Grants may be awarded by the nonprofit scholarship funding organization in an amount not exceeding five thousand dollars or the total cost of tuition, whichever is less, for children who are eligible for the federal free or reduced school lunch program or whose families meet the requirements for federal Medicaid benefits to attend an independent school.*

*(b) In addition to the provisions of item (a), grants may be awarded by a scholarship funding organization in an amount not exceeding ten thousand dollars or the total cost of tuition, whichever is less, for students with ‘exceptional needs’ to attend an independent school. An ‘exceptional needs’ child is defined as a child who has significant cognitive, mental, physical, or emotional disabilities and whose parents or legal guardian believe that the services provided by the school district of legal residence do not sufficiently meet the needs of their child.*

*(4)(a) The tax credits authorized by subsection (B) may not exceed cumulatively a total of fifteen million dollars for contributions made on behalf of students who are eligible for the federal free or reduced lunch program and whose families meet the qualifications for federal Medicaid benefits, and the tax credits authorized by subsection (B) may not exceed cumulatively a total of ten million dollars for contributions made on behalf of ‘exceptional needs’ students. If the Department of Revenue determines that the total of such credits claimed by all taxpayers for one or both categories exceed these amounts, it shall allow credits only up to those amounts on a first come, first serve basis.*

*(b) Filers making contributions to a nonprofit scholarship funding organization designating a portion or all of their contributions for grants for exceptional needs children shall state with their contribution the amount to be used for this purpose. These amounts so stated must be used for purposes of computing the maximum tax credit amounts under item (a) authorized for contributions on behalf of exceptional needs students. If no such designation for exceptional needs children is made, the contribution shall come within the maximum tax credit limitation for contributions pertaining to students who are eligible for the federal free or reduced lunch program and whose families meet the qualifications for federal Medicaid benefits provided in item (a).*

*(c) If a husband and wife file separate returns, they each may only claim one‑half of the tax credit that would have been allowed for a joint return for the year.*

*(d) The person shall apply for a credit under subsection (B) on or with the tax return for the period for which the credit is claimed.*

*(e) The Department of Revenue shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (B). Also, the department shall develop a method of informing taxpayers if either of the credit limits set forth in item (a) are met at any time during the 2013 tax year.*

*(f) A person may claim a credit under subsection (B) for a contribution during a particular period only against the tax owed for the corresponding period.*

*(g) Any unused tax credit, including the portion of a contribution which is reduced pro rata under item (a) of this subsection, may be carried forward for a period not exceeding five consecutive years. However, the tax credit is not refundable.*

*(5) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the deduction or credit authorized by this section to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.*

*(6) Except as otherwise provided by subsection (B), neither the Department of Education, the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to subsection (B).*

*(7)(a) The Education Oversight Committee, as established in Chapter 6, Title 59, is responsible for determining if an eligible school meets the criteria established by subsection (B)(1)(a), and shall publish an approved list of such schools meeting this criteria as provided in item (b) below. For this purpose, it also shall promulgate regulations further enumerating the specifics of this criteria. In performing this function, the Education Oversight Committee shall establish an advisory committee made up of not more than nine members including parents, and representatives of independent schools and independent school associations. The advisory committee shall provide recommendations to the Education Oversight Committee on the content of these regulations and any other matters requested by the Education Oversight Committee.*

*(b)(i) By the first day of August for the current fiscal year, the Education Oversight Committee, on its website available to the general public, shall provide a list with addresses and telephone numbers of nonprofit scholarship funding organizations in good standing which provide grants under subsection (B), and a list of approved independent schools which accept grants for eligible students under subsection (B) and which in its determination are in compliance with the requirements of subsection (B)(1)(a).*

*(ii) Student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by an eligible school receiving or entitled to receive scholarship grants under subsection (B) must be transmitted to the Education Oversight Committee which in turn shall publish this information on its website with the most recent scores by category included.*

*(c) Any independent school not determined to be an eligible school under the provisions of subsection (B) may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court’s rules of procedure.*

*(d) The Education Oversight Committee, after consultation with its nine‑member advisory committee, may exempt an independent school having students with exceptional needs who receive scholarship grants pursuant to subsection (B) from the curriculum requirements of subsection (B)(1)(iv).*

*(8)(a) Every nonprofit scholarship funding organization providing grants under subsection (B), shall cause an outside auditing firm to conduct a comprehensive financial audit of its operations in conformity with generally accepted accounting principles and shall furnish the same within thirty days of its completion and acceptance to the Secretary of State and Department of Revenue which must be made available by them on their website for public review.*

*(b) Every independent school accepting grants for eligible students under subsection (B) shall cause to be conducted a compliance audit by an outside entity or auditing firm examining its compliance with the provisions of subsection (B), and shall furnish the same within thirty days of its completion and acceptance to the Secretary of State and Department of Revenue which must be made available by them on their website for public review*. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator COURSON moved to carry over the amendment.

Senator MALLOY moved to table the motion to carry over.

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

**Ayes 2; Nays 39**

**AYES**

Allen Malloy

**Total--2**

**NAYS**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree Hutto Jackson

Johnson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson Peeler Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--39**

The Senate refused to table the motion to carry over. The question then was the motion to carry over the amendment.

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

**Ayes 38; Nays 3**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree Hutto Jackson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--38**

**NAYS**

Allen Ford Malloy

**Total--3**

The amendment was carried over.

**Amendment No. 115**

Senators HUTTO, JACKSON, SETZLER, MATTHEWS, McGILL, REESE, FORD, PINCKNEY, MALLOY, SHEHEEN, LOURIE, WILLIAMS, COLEMAN, NICHOLSON, SCOTT, ALLEN, JOHNSON and McELVEEEN proposed the following amendment (3710 healthcare expansion.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 405, after line 17, by adding an appropriately numbered new proviso to read:

/ *33.\_\_\_\_\_ (DHHS: Medicaid: Healthcare Expansion) (A) The department must expand Medicaid coverage as authorized by federal law to individuals under sixty-five years of age with incomes at or below one hundred thirty-eight percent of the federal poverty level, based on modified adjusted gross income. The department must submit a State Medicaid Plan Amendment, reflecting the expanded coverage, to the Centers for Medicare and Medicaid Services.*

*(B) If South Carolina’s federal medical assistance percentage (FMAP) is reduced below levels prescribed under the federal legislation for beneficiaries who became eligible under subsection (A), the beneficiaries shall be removed from receiving Medicaid no later than the end of the third month following the month in which the reduction in FMAP takes effect. The department shall inform Medicaid beneficiaries who become eligible for benefits under subsection (A) that benefits may be reduced or eliminated if federal participation decreases or is eliminated.*

*(C) The department is authorized to transfer funds between appropriated line items or use excess operating revenue and reserves to offset administrative expenses associated with Medicaid expansion.*

*(D) The department shall engage stakeholders and providers to study the delivery of health care within the state's Medicaid program in an effort to improve health outcomes and increase cost savings and quality of care. The department shall report its findings and recommendations to the governor and the General Assembly by February 1, 2014.* /Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 525, paragraph 117.98, line 21, by striking paragraph 117.98 in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

**Point of Order**

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

Senator HUTTO spoke on the Point of Order.

Senator DAVIS spoke on the Point of Order.

Senator BRYANT spoke on the Point of Order.

Senator SETZLER spoke on the Point of Order.

Senator CAMPSEN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator HUTTO resumed speaking on the amendment.

Senator JACKSON spoke on the amendment.

**Remarks by Senator JACKSON**

Thank you, Mr. PRESIDENT.

Lady and gentlemen of the Senate, I debated with myself whether or not to take this podium to speak. As you know, those of you on the Finance Committee spoke exhaustively on this subject. I have a difficult time speaking when I already know what the outcome is going to be and it’s always hard; but, I decided to give it a shot anyhow because some things must be said.

When you look at just healthcare expansion -- I would prefer us calling it healthcare expansion because I know that some of us have problems with certain names and when you invoke the name Medicaid, unfortunately, that has a negative connotation in the minds of so many other people -- because you are thinking about people that are classified as people who don’t want to work, that they are lazy or the poorest of poor people, and these people are not actually willing to go get it for themselves which is not the case. I do not ascribe to that when you think of healthcare expansion and when you really look at the numbers per county. The Senator from Charleston, our good friend, Senator FORD, did an analysis for us that he passed out to all of us. You look at the counties, for instance, my friend from Pickens, Senator LARRY MARTIN, when you look at the number of people in Pickens county that would get healthcare insurance, Senator from Georgetown, and that today do not have it. It tells you that this is beyond just the poor or the poorest. These are working people who go to work every day who are trying to provide for their families.

We, by passing this amendment, will provide them with healthcare and when I say, “We,” I use that very reluctantly because the truth of the matter is the federal government is paying for this 100% for the first three years, 90% after that. I don’t know if there’s anything -- Senator from Georgetown -- if someone walked in your office and said there is a piece of equipment that can be used, that would provide great services to your patients, you say I cannot afford it, never thought about paying for it, and someone tells you, don't worry about it the first three years, it will cost you nothing. After that, all you have to pay is 10%. I don’t know too many of my friends who are business people who would turn down that opportunity on either side of the aisle. I haven’t seen it done before. I’ve owned and run a business, started a business, run a nonprofit, been in the Senate for 20 years and served on the school board. I’ve never seen anybody, even my great friend from Florence, who I classify as a business guru, who has taught me so many things about finances, I think it would be hard for him from a business standpoint to turn down an opportunity like that. So, as I begin to think about it, I said if it is a good business decision, and we are rejecting it, then there has to be something, there has to be a reason why great businessmen and women would turn down a great business opportunity that would help their State. The only thing I could conclude was politics is the only thing.

I could conclude that this thing which is called healthcare expansion, took on a name that is toxic in certain circles and that’s Obamacare. That’s sad and unfortunately, to many, it is true. I’ve read the e-mails, I get them 1:00 in the morning. I’m a night person. I’m up 1:30 in the morning that’s when I go through my e-mails. I see all of these toxic e‑mails coming at 1:00 in the morning and things about Obamacare and nullification. Of this, let me help you out and Senator from Georgetown, you were there when Mr. Keck appeared before the Finance Committee and he stood and emphatically said, and Senator from Lexington, you remember this, “I am against Obamacare.” He said that, Senator from Marion, you remember that I’m against Obamacare, and so I asked him. I said, “Mr. Keck, how do you feel about 26 year olds remaining on their parent's insurance? Until they’re 26 years old?” He said, “I like that support.” I said, “Okay. How do you feel about pre-existing illnesses being covered?” Senator from Kershaw, our future Governor, he said, “I like that.” I said, “How do you feel about Healthcare exchanges?” Mr. Keck said, “I think that’s a good idea.” I said, “Help me! You are a smart guy.” You just said to us that you are against “Obamacare,” but you like these things. And then Mr. Keck pivoted and went on to -- for some unknown reason -- giving us a lecture about the national debt. Talking to us about the national debt and how we need to be concerned, and his major concerns about that. Those of you who were there, you can attest to this, he said his primary concern is that this is borrowed money. This is money that will expand the national debt and I said, “If you believe that, then I should have heard you speak out on three wars -- at least two wars that were funded by borrowed money, and perhaps are still being funded by borrowed money.” But enough of any of that.

So what it really comes down to, unfortunately, is politics. It really comes down to not wanting to do something because of who is associated with it. I have a difficult time with that because there have been things that were good things that were proposed by those who were on the other side of the political aisle from me. But because it was good for my constituents and for the State of South Carolina, I embraced them and we worked hard for them. In fact, we are known for that. The South Carolina Senate is known for that.

I often tell the story as a young man being elected to the Senate -- here I am in my early 30s. I didn’t know anything. My first meeting was with the business person, Mr. Lawrence Gressette, CEO of SCANA. I went to talk to him, he looked me in the eyes and at the time, Senator, I represented Calhoun County, all of it. I represented the county that his late father, the Honorable late Senator MARION LAWRENCE GRESSETTE represented. He sat down with me and said, “Number one, I’m proud of you; number two, I supported you.” I did not know that. “And, further, I’m glad that you were elected,” he said. “But most importantly, number three, you are not a Senator from Calhoun and Richland Counties; you’re not a Senator from District 21; you are a State Senator.” And he looked me in the eyes and said, “I will never support you again if you ever forget that. It is your responsibility to look out for all of the citizens in South Carolina.” And, I have tried to do that and I try to remember that every day that I come here. The decisions that we make shouldn’t be good for just my district or my political campaign or my particular party, but it should be good for the entire State of South Carolina.

And when you think of this, when you think of the fact that under this, more women would be covered than ever before in South Carolina -- more pre-cancer screenings, than ever before in South Carolina. No one can deny that if this passes, that there would be more people with access to health insurance, the Senator from Orangeburg did a marvelous, fantastic job in talking about the difference between the emergency room, and really of going to your physician. If you had a choice, none of you would go to the emergency room for checkups and all of that because you can’t get it. You go to the emergency room -- those of us with health insurance -- as the last resort. In fact, my wife was sick the other day and I said, “Baby, if you’re that sick, let’s go to the emergency room,” and she said, “I am not that sick; I will wait until the next morning and I will go see my physician.” She did not want to go to the emergency room. The good news is that she had a choice. The bad news is that we don’t want everybody else to have that choice.

We have the other thing that concerned me greatly about Mr. Keck and that is, I asked him, who covers your insurance? And guess what? He is under a government-sponsored health insurance plan. I know it comes out of his salary as it does for all of us. I’m not just criticizing him; but, I have a problem when we’re not being totally transparent on things and so we sit here, all of us and I would venture to say that there is no one in here today that does not have great healthcare insurance. And a lot of us, because the government provides us that, and we do provide a service and we are paying for it. But we have it, we have it.

So finally, I think this is a moral obligation. I have been on the same side as many of my friends who are to my right, philosophically and politically who sit to my left. Now, we’ve been on the same side as it relates to some issues that are moral issues that we share, the same moral beliefs and I would say to them, it is hard for me to imagine that we can be more concerned about before the birth of a child than we care about the mother of that child after that child has been born. That’s a moral obligation; we must be consistent. It is hard for us to stand up and fight to the end on things we believe, but yet, we will look in the faces of these people and we would say that you cannot be covered now.

Let’s review this, how much will it cost the State of South Carolina? Next year? Senator from Georgetown, the answer is not how much would it cost the State of South Carolina the second year? The answer is nothing and the third year, nothing. How much would it cost the State of South Carolina after three years? 10% of the cost and we are arguing over that maybe it’s too much for us to handle. We have more passion and we’ve shown more passion about protecting our kids in dilapidated school buses than we are showing about giving them healthcare for their mothers and others so that they can have parents that would be around to do their homework after they get home off these brand new school buses. If the parents aren’t healthy, if the parents aren’t living long, healthy lives, then who is there to nurture these kids? Who is there to be a shining example? So it is a moral issue, it is an issue that all of us must, at the end of the day, look at ourselves in the mirror and we have to face ourselves. Even more importantly, we have to face someone greater than ourselves when we all go home and we take this vote. Are we to say, did we do what was best for the least of these? Did we do the right thing? Did we provide an opportunity for everyone to live a healthy life like we have here today?

And, so I will close like I started, I know that we’re probably changing no minds but the fact of the matter is that some things still need to have been said; and I hope and pray that if someone really is on the fence, if you are really thinking about it, I think you ought to think about what’s not best for you and your next election or the next primary, but what is best for South Carolina. Let me leave you with the words of Lawrence Gressette, great CEO, great South Carolinian, great American, “If you ever do what is in your best interest at the expense of the President, than what is in the best interest of South Carolinians, then you don’t deserve to be here.”

Thank you.

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

Senator SETZLER spoke on the amendment.

**Remarks by Senator SETZLER**

Mr. PRESIDENT, lady and gentlemen of the Senate, I would ask you to indulge me for a few minutes. I am not going to filibuster unless somebody aggravates me as we go forward.

But, I want to talk to you about a number of things with regard to expanding health care coverage in South Carolina.

I would like to tell you how I arrived at the podium today on this subject because I don’t take it lightly. I think we all come here from our life experiences. This weekend I had the opportunity, regretfully, to attend two funerals which have caused me to reflect. One, on Saturday afternoon with our dear colleague’s mother, and one, on Sunday afternoon with a coach at our local high school who I knew very well. One was a personal friend who three weeks ago was diagnosed with colon cancer. In less than three weeks, he was gone.

I don’t think this issue is about Washington, D.C. You want to make it about Washington, D.C., and I disagree with you. I don’t think this issue is about debt. If you want to debate it, I’ll debate it with you. I think it is about who we are as a society, as a people.

Somebody on this side of the Chamber -- and I don’t remember who it was -- said at the podium that we were fortunate enough to be 46 Senators out of 4.6 million people in South Carolina. Think about that fact. We have been given the opportunity to come into this Chamber on a daily basis and represent the people of South Carolina in what, I consider and have said many times from this podium, is the most deliberative body in America. I get aggravated with my friend from Pickens -- and he and I have private conversations when he tries to run that railroad train -- instead of letting us deliberate. But I respect him.

I thought a lot about the various issues we deal with because sometimes we think those issues are trivial. Every one of us in here is guilty of that. But if you step back and look, any issue we deal with is important to somebody. It is important to somebody in South Carolina. And I try my best every day as I sit here to not disregard any member of this body whose positions are different from mine. Because the Good Book says, “Don't judge others.” I try to respect everyone, and I think you all respect me, and, for that, I say, “Thank you.”

We have some new members who are tremendous assets on both sides of the aisle. You have come in here and worked hard and are dedicated to help us try to build coalitions across party lines so that in a bipartisan way, we can do something for the people of South Carolina. I’ve been blessed, and I’ve been here a while. I am thankful every day for that, and I apologize ahead of time if I get choked up because I want to put a little different picture on this debate. I want to talk about the people.

I served with the Senator from Richland, Senator LOURIE’s father, ISADORE. I said at his passing -- and this is not to offend anybody who serves in here now -- Senator ISADORE LOURIE from Richland County was the most compassionate person with whom I have ever served in the South Carolina Senate in my 37 years. He cared every second of every day about his fellow man. I will never forget that about him. And as it relates to Senator THURMOND, with whom we all presently serve, I knew his father, STROM -- a United States Senator, and his family when they lived on the river in West Columbia. It makes me feel very old as PAUL went to grammar school with my children and now we serve together. But, I have grown to respect the new Senator THURMOND in his independence and approach.

Senator YOUNG from Aiken -- with whom I have worked and known on a personal basis -- I consider him a personal friend. My dear friend who sits on the back row from Lancaster, Senator GREGORY, and I have worked on a number of issues together. And in my term in the Senate, Senator GREGORY has sent me two of the nicest personal notes that I have ever received in my lifetime. For that, I am forever grateful.

Some of you may say the Senator from Lexington is up there because he is the Minority Leader. Let me tell you, that is not the case. I am not here because of that. I am here because I believe in expanding health coverage for South Carolinians who do not have it.

The Senator from Cherokee, Senator PEELER, used to say, there are people with whom I disagree, and they are my friends. Some of my friends are with me, and some of my friends are against me.

Today I am here because of my life experiences. Some of you heard me tell before that my parents worked 12 to 14 hours a day. Neither one had a college education. Both were valedictorians of their high school. Their business was an icon in our community for some 44 years. They taught me what hard work and respect and caring for your fellow human being is.

There was also another experience that brought me to this podium today. Some of you who were not here in 2011, and those of you who were recently elected, may not be aware, but I had a life changing experience in April of 2011 that I dealt with, but would have preferred not to have faced. But God blessed me and healed me and brought me here today.

So, what do these life experiences have to do with the health care conversation? I have thought a lot about this issue. I have thought about people who have no health care coverage and reflected on it. I am glad the Senator from Florence, Senator LEATHERMAN, is sitting here. As Chairman of the Senate Finance Committee, he is part of the reason, and he does not even know this. I am here because I had a conversation with him about this issue, and I remember what he said to me. He said, “My concern is not what happens in 2013. My concern is who is sitting in this chair as Chairman of Finance in 2020.”

I think this is one of those issues like Amazon that it is going to continue to snowball, and the public opinion is going to continue to grow although a majority of South Carolinians, as I understand it, already support expanding health care coverage for all of our citizens.

I remember when we talked about the Senator from Clarendon, Senator LAND. He never cast a vote in order to keep his seat. Think about that statement. I doubt there is anybody in here today who can say that they have not done that. If you have, I am proud of you.

Who are these people? Who are we talking about? We are not talking about foreign individuals.

We are not talking about somebody from Washington. We are talking about people that we see every day. We are talking about 323,000 South Carolinians, and I know what everybody thinks. Everyone has this mental picture of who these people are -- the uninsured and that they are not working. The picture is that they are young or that they are from the rural counties.

If you look at this map that was passed out, roughly 12,000 of those people are from one of the counties I represent and which is my home county of Lexington. 25,000 of them are from Greenville County. 11,000 are from York County. 18,000 are from Richland County. 20,000 are from Charleston County. These are not unemployed people. These are simply people that we do not know.

Let me give you some statistics. There are, according to the United States Census Bureau, 701,813 residents in South Carolina who are 19 to 64 years old and have incomes up to 138% of the poverty level, which would be $15,586. Of that number, 321,000 or 46% of our fellow South Carolinians are uninsured. These are not people in Washington! This is not part of this partisan debacle that is going on in Washington, D.C. These are people we see every day in our communities. These people may be our friends. They may be your neighbor. They are your constituents. Of those 321,000 people, 52% of them are white, 38% are African-American, 48% are male and 52% are female. 52% are females in South Carolina! Those are the people we are going to turn our backs on. What are their ages? 77% of them are from 19 to 49 years old. Are they unemployed? Everyone thinks these are unemployed citizens of South Carolina. 40% of them are employed, and 27% of them are unemployed. What about education? 68% of these 328,000 people have a high school diploma or some college.

I submit to you that is a different picture than what most people think. These are people that have a high school education and have gotten a job. But they cannot afford health insurance coverage.

What about state employees? Guess what. We have 109 state employees who are at less than 138% of poverty. 33 of those are less than 100% of poverty. We are talking about $1.6 billion per year for three years. There is no cost on our part other than an administrative cost which Mr. Keck estimates at around $26 million. Mr. Keck’s proposal would cost the taxpayers of South Carolina $40 million. Would you rather pay the $26 million to get $1.6 billion to give health insurance coverage for these people?

I have respect for Mr. Keck, and he has been very cordial to me and worked with me when I have had questions or concerns. But again, his proposal is $40 million that’s going to come out of this budget and out of the pockets of the taxpayers of South Carolina which would pay for his proposal to cover 7,000 to 10,000 people. We are going to pay $40,000 for a program to cover 7,000 to 10,000 people while turning down $1.6 billion which would cost $26 million and allow us to cover 300,000 individuals? Those numbers do not add up to me. When I get ready to vote, I do not want to leave 310,000 people behind. I want to grab them by the hand and bring them with us to make a better South Carolina. Additionally, there are no details in this budget regarding Mr. Keck’s plan. I ask you to tell me where the details are of his plan? It is up to him, not up to us.

So, if we turn this down, we have 320,000 people who are going to have no coverage. We are going leave $1.6 billion on the table that we could use to provide health insurance coverage for working South Carolinians who are educated and are either underemployed or cannot get jobs with benefits. We are going to leave them behind.

Let me tell you what happens, beside the $40 million that the taxpayers of South Carolina will pay to reject $1.6 billion. These same 320,000 people are going to go into the emergency rooms of South Carolina. They are not going to stop getting treated. They are going to be treated, but at the most expensive place, the emergency rooms of South Carolina. Who pays for the costs when 320,000 people or a percentage of them go to the emergency room to get treated?

We are not going to take $1.6 billion because we might have to worry about it in 2020. We are not worried about what it costs today when the emergency rooms are inundated. The people who are going to pay are you and me. Small business will pay and big business will pay. There will be a cost shift. There is already a cost shift, but it will be greater than it is.

When these 320,000 or a percentage thereof are treated in hospitals, the cost is shifted and it is going to be paid by all of us in increased insurance premiums. You can cut it any way you want to cut it. That is a fact.

So, you have $40 million we are going to pay up-front for 7,000 individuals, and the remaining uninsured obtain treatment in the emergency room at the highest cost you can have.

And guess what? In the Affordable Care Act, the Disproportionate Share Payments (DSH) are cut to the hospitals. The hospitals already have that. That is the reason there is money in the budget to help the rural hospitals as that cut is being absorbed by the hospitals. But that’s not the only cut. There is another DSH cut.

If everything is phased in as outlined in federal health care reform and the reimbursement to hospitals which now is about 50% will go down to about 25% percent, as I understand it, and we do not take this, guess what? It is coming right back again to my pocketbook and your pocketbook. The employers are going to pay; the citizens are going to pay. And when the employers do not provide coverage or insurance through health exchanges, there is the potential for fines. Individuals with insurance like you and me are all blessed. God has been good to me and all of us here, but there are people who are less fortunate. And if we can do something to help them, we need to do it.

Let us talk about the percentage of people that go to the emergency rooms. What is the role of emergency rooms? Emergency rooms are for pain relief and stabilization. They help to relieve your pain and stabilize you. That is their role. The role of an emergency room in South Carolina is not for the treatment of long-term care for health problems. That is why I am at this podium. Think about those people who do not have health coverage like we do. Think about the individual with diabetes. Think about the insulin they do not have. They are in and out of the emergency room because of diabetes. Those with kidney disease and who are uninsured are in the emergency rooms of South Carolina to be treated. But again all we can do is relieve their pain and stabilize them. And then the worst monster of all -- cancer. Think about it, folks. Think about it. Somebody with cancer goes to the emergency room and they get treated for pain. They get stabilized. They cannot get chemotherapy. They cannot get radiation. They cannot have surgery like I had -- robotic surgery -- because they do not have insurance. So, we are going to leave them behind.

Mr. Chairman, and I am not picking on you Mr. Chairman, but what you said stuck with me. For me the choice is not about 2020. I think about Senator PEELER’s remarks to his grandchild from the budget debate as it related to buying all that sand to put on the beach that is going to wash away. What I think about when I talk with my six grandchildren are the 323,000 South Carolinians who do not have health coverage and when I have to look at my grandchildren and say, “Yes, that person had cancer and we had the chance for them to be treated, but we did not do it.” For me, if I have a choice of giving somebody health care coverage and treatment today, I will do it. Next year I will do it.

We heard when we took the stimulus money for education, that the world was going to come to an end. We took it, and it didn’t happen.

But, when I lay my head down at night and when the Lord calls me home, I want to be able to say that I did not pass by that person on the street who has cancer or who were in their homes or in the emergency rooms while he or she needs treatment. Everybody has to make their own decision, and I understand and respect that. But for goodness sake, do not tell me it is about partisan politics in Washington. Do not tell me it is about debt because that money that Mr. Keck says is going to be borrowed is going to be borrowed for some number of people, whether they are South Carolinians or the residents of ten, twenty, or forty other states and our citizens are going to help pay the debt.

So, to me it is about 320,00 South Carolinians. And I refuse to turn my back on them and say to them that I stand too tall to reach down and give you a hand when you need a hand to lift you up.

Thank you.

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

Senator LOURIE spoke on the amendment.

Senator DAVIS spoke on the amendment.

**Remarks by Senator DAVIS**

I hadn’t planned on saying anything today since I am sure most of us have already made up our minds about this issue. We have studied it. We have read the opinions of others. We have thought about it. But there have been some things said today that must be responded to, lest they be considered fact.

First of all, there was an unfortunate exchange between the Senator from Georgetown and the Senator from Orangeburg that included a reference to Tony Keck being a political hack. Tony Keck did tell the Senate Finance Committee that he worked for the Governor and was the D.H.H.S. director, but he also said it was his professional opinion, based on all the years he had spent in public healthcare, that it was not in South Carolina's best interest to expand Medicaid. That was his professional opinion. He wasn’t simply following orders or simply doing what the Governor told him what to do. He was expressing his professional judgment and doing the very thing he is supposed to do -- exercise his expert judgment and give his expert opinion to us as lawmakers.

Second, I think we do need to talk, Senator from Lexington, about the federal debt and deficit in connection with the debate on whether to expand Medicaid. It is wrong to say such is a Washington matter which shouldn’t concern us. Let me tell you why. The federal government’s debt is rapidly approaching $17 trillion, and that debt in large measure is fueled by the growth of entitlement programs. Entitlements are also the reason why we have had federal budget deficits the past five years.

Mr. Chairman, I know every year you must balance the state budget and you probably wonder, “How in the world can Washington, D.C., continue to operate with trillion-dollar budget shortfalls?” And here’s the answer: the US Treasury sells securities every week to primary dealers like Goldman Sachs and J.P. Morgan, and they then sell those securities to the federal reserves, and the Fed pays for those purchases by printing new money. The Fed has quadrupled the monetary base supply in the last four years. So we are not only simply running annual budget deficits in Washington, D.C., we are paying for it with money created out of thin air.

Here’s why that is important to the decision we are making today: common sense tells you that, at some point in time, the federal house of cards is going to fall. Common sense tells us that. The Senator from Florence is absolutely right when he says we need to consider how we would pay in 2020 for a Medicaid expansion today. Because what do you think will happen when the federal government no longer has money to cover its obligations? The very first thing that will occur is a cut in its transfer payments to the states. Money that we send up there and that comes back to us for education and health care and roads -- all those payments will be the first thing cut. And so I applaud the Senator from Florence for asking the right question, and I commend him for the leadership he’s showing, and I think he is right to say it is irresponsible to expand the Medicaid population from 1.1 to as high as 1.6 million in just a few years, when we have no reasonable assurance the federal government will be able to continue its Medicaid match in the years to come.

How would we pay for 1.6 million South Carolinians on Medicaid, if the matching federal money starts to decrease? Well, we would have to look at the three cost-drivers: the Medicaid population, the scope of services provided to the Medicaid population and the reimbursement rates paid to providers of Medicaid services. There are restrictions imposed on us by the federal government in regard to contracting the Medicaid population and cutting back the scope of services, so adjustments there aren’t going to make up the difference. So that leaves cutting reimbursement rates to providers, and that isn’t a reasonable option, either. If we further cut those reimbursement rates to providers, they will opt to not provide services at all.

So, that leaves raising taxes. We would have to pay for the services to the expanded Medicaid population if and when the federal funds decrease, and if you raise taxes and take money out of the private sector, where capital is more productively used, our state’s quality of life will suffer. Our economic productivity will decline.

It is our duty as responsible adults to say this can’t go on; this can’t be continued. To recognize that, “We have to take this free money or it will be spent in some other state” is a ridiculous argument. It is time that we showed some leadership in this Body.

Finally, I take issue with those who frame this debate to be about who is more compassionate. I will not cede the moral high ground to any lawmaker who proposes to take more dollars from private individuals in order to cover the costs of an expanded Medicaid program. I volunteer in my community and at my church. Where is it written that in order to be truly compassionate we have to pay more money to the State so that it can take care of that essential human imperative for me? That’s not the definition of compassion I learned and that's not the definition of compassion I live.

American quality of life has declined precipitously since the implementation of Lyndon Johnson’s “Great Society.” Those policies fostered a culture of dependency in this country, and they robbed both givers and recipients of assistance of an immensely important human experience. Individuals who once received money from a neighbor or church, and who received such with gratitude and were perhaps inspired to help others in turn, now receive that assistance from government with an unappreciative sense of entitlement. And individuals who once freely helped neighbors in need and experienced the joy of loving and helping their neighbors, are coerced to grudgingly pay taxes to government. So, no, I do not cede the moral high ground to lawmakers who want to expand entitlements and increase taxes.

Lady and Gentlemen of the Senate, I thank you for your attention and urge you to vote against this amendment.

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

Senator ALEXANDER spoke on the amendment.

Senator CAMPSEN spoke on the amendment.

**Remarks by Senator CAMPSEN**

Thank you, Mr. PRESIDENT.

Members of the Senate, I will read a quote at the beginning of my remarks. “If we don’t get control over costs, then it is going to be very difficult for us to expand coverage. These two things must go hand in hand. Another way of putting it is we simply can’t put more people into a broken system that doesn’t work.” Who was it that made that statement? Does that sound like the evil Tony Keck who’s been accused of being a political hack? It is not Tony Keck. It is Barack Obama.

It is Barack Obama from June 2, 2009. Another way of putting it is, we simply can’t put more people into a broken system that doesn’t work. That is Barack Obama’s quote. That’s not a Tony Keck’s quote.

If you look at the Medicaid system, there is no conclusion you can draw other than it is broken and the Affordable Care Act made it more broken. Medicaid used to be for people who couldn’t help themselves -- kids, seniors, the disabled, and pregnant women. This is the first time the expansion is going to go to able-bodied working people. Is that fixing the broken system -- to expand the entitlement to care for people who can care for themselves and who are able bodied working people?

In South Carolina we have 10,000 disabled people on the waiting list for Medicaid coverage. And we are going to expand it to 138% of the poverty level? Is that fixing a broken system like President Obama said needed to happen? The current Medicaid program with no expansion in the next seven years would require 2.4 billion new general fund dollars. That’s about $350 million a year. That’s about 5% of the general fund annually, new money needed to fund the current program. Does that sound like a system that’s been fixed first like the President wanted? If you expand under this proposal, $600 million to $1.9 billion will be spent over the next seven years. Does that sound like fixing a broken system before you expand it? When you add those two together, $3 billion to $4.3 billion over the next seven years for new money for Medicaid -- new money, with a $6.3 million General Fund Budget. That’s 10%. That’s $614 million a year. That’s 10% of our current budget that you need in annual growth new money to fund Medicaid. We have $700 million in new growth a year and we think it is a jubilee year. We think it is wonderful. Is that fixing a broken system before you expand it?

How about think under the Affordable Care Act, for the first time it will be illegal, unlawful for hospitals to check someone’s citizenship status. There will be presumptive eligibility, that you are eligible for Medicaid, that will get your service and 95% of the cost can be covered. We talk about closing the borders first, on immigration issues, this is what’s absurd about the way D.C. does things. Look at the incentive built into that little provision of Obamacare. You talk about an incentive for illegals across the border who come to this country and go to our emergency rooms and get care. Under the current broken system the emergency rooms -- unless you are a pregnant woman -- the emergency rooms can check your status and if you are not eligible, you may not get treatment, depending on the interplay of Medicare and the federal infala-legislation. But under Obamacare, 95% of the cost will be covered and there is a presumption you are a citizen. Will you not check someone's status? Do you think that creates incentive for more illegal immigration to occur and drive our health care costs up? That’s just one of the issues. The Heritage Foundation mentioned when they concluded how much Obamacare and expansion of Medicaid would cost the taxpayers of this country.

I have heard enough. I have heard enough of accusations -- be it resolved partisan motivation or political motivation -- and I am not going to answer a question. My opposition to the expansion of Medicaid has nothing to do with a party affiliation. And I have heard member after member of this body allude to that fact. It has to do with the philosophical difference but not a party affiliation difference. And I will tell you what the philosophical difference is. It is, I don’t believe government can take over one-fifth of the economy and take over individual health care decisions and make beautiful things happen for everyone. I don’t believe that will happen. I don’t believe that will happen because I believe that if you concentrate that much political and economic -- and now personal power over personal medical decisions in the hands of a few bureaucrats, it will be abused and it will be abused mightily. And that is the fundamental premise that this country was founded upon -- a distrust for the concentration of political and economical in the hands of a few. If you do not think that’s true, you go read the federalist papers. If you don’t think that’s true, you go look at separation of powers. Look at the Bill of Rights. All of these demonstrate that our founders in their infinite wisdom, and they were right, did not trust human beings to wield concentrated political or economic power. And this legislation gives power to bureaucrats in Washington, D.C., not just one-fifth of the U.S. Economy, not just over the course of the lifetime of the Bill, of the legislation, trillions of dollars, it gives them control over your personal health care and your personal health care decisions.

I tell you what, I’m one of those small businessmen that was referred to. I can’t even figure out what the impact of Obamacare will be on my business. They don’t even have regulations out yet. I keep asking experts. I try to get some advice. We don’t know! Max Baukas, a U.S. Senator and one of the biggest champions of Obamacare, is not running again, so he has no motivation to score political points one way or another. As one of the biggest champions of Obamacare, guess what he said -- “It’s a train wreck.” That’s what he said, “It’s a train wreck.” Senators, this has nothing to do with a party affliction. This has everything to do with fundamental philosophical notions that I adhere to that I think the country was founded upon. That is what the free market approach to health care is, and the market, the free market, will allocate resources effectively. Instead of going in that direction we continued in the direction of this broken system where there is an incentive for politicians to take other people’s money and give them benefits. That’s like the Senator from Beaufort said... That’s not charity. Taking Peter’s money and paying Paul is not charitable. Take my money and pay Paul with my own initiative, that’s charitable. But this is not about partisanship. This is about putting, pouring more money into a broken system. What President Obama said in 2009, is what we shouldn’t do. That’s exactly what we are doing. I want to make it clear, this has nothing to do with the gubernatorial race next year, nothing to do with the presidential race or who is going to control Congress. But it does have everything to do, in my view, with the founding principles of this country.

Those principles are, you don’t hand over to Washington this kind of control. And this State is like a teaser rate for a credit card. You know what a teaser rate is in that you get this credit card and our interest rate will be 3.5%. But, by the way, in two years it increases to 19.5% that’s what this is. This is a teaser rate. Are you ready to spend $614 million new dollars a year on Medicaid? One-tenth of our budget essentially, our general fund budget. Are you ready to spend that on Medicaid? Well, that’s what it will cost and that’s a low estimate, I believe. Because anything government is going to do, they are going to do it inefficiently. Why? Because there is not a profit motive. And the profit motive and pricing mechanism keeps prices down and efficiently allocates resources. I wasn’t going to say anything either, just like the Senator from Beaufort. But frankly, when I keep hearing assertions that the vote I am about to cast against this amendment is partly motivated by partisan politics and it’s just a political position, I felt compelled to get up and make a statement. I ask all of you to join me in voting against this amendment.

Thank you.

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

Senator CLEARY spoke on the amendment.

Senator SCOTT spoke on the amendment.

Senators MASSEY and ALEXANDER moved to lay the amendment on the table.

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

**Ayes 23; Nays 19**

**AYES**

Alexander Bennett Bright

Bryant Campsen Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree Leatherman *Martin, Larry*

*Martin, Shane* Massey O'Dell

Peeler Shealy Thurmond

Turner Young

**Total--23**

**NAYS**

Allen Campbell Cleary

Coleman Ford Hutto

Jackson Johnson Lourie

Malloy Matthews McElveen

McGill Nicholson Reese

Scott Setzler Sheheen

Williams

**Total--19**

The amendment was laid on the table.

**Amendment No. 91**

Senator BRIGHT proposed the following amendment (DG LB CORR), which was adopted:

Amend the bill, as and if amended, Part IB, Section 65, DEPARTMENT OF CORRECTIONS, page 451, after line 6, by adding an appropriately numbered new proviso to read:

## / *65.\_\_\_. (CORR: Prohibition on Funding Certain Surgery) (A) The Department of Corrections is prohibited from using state funds or state resources to provide a prisoner in the state prison system sexual reassignment surgery; however, if a person is taking hormonal therapy at the time the person is committed to the Department of Corrections, the department shall continue to provide this therapy to the person as long as medically necessary for the health of the person.*

*(B) As used in this provision:*

*(1) ‘Hormonal therapy’ means the use of hormones to stimulate the development or alteration of a person’s sexual characteristics in order to alter the person’s physical appearance so that the person appears more like the opposite gender.*

*(2) ‘Sexual reassignment surgery’ means a surgical procedure to alter a person’s physical appearance so that the person appears more like the opposite gender.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

The amendment was adopted.

**Amendment No. 45**

Senator MASSEY proposed the following amendment (3710R015.ASM.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 83, DEPARTMENT OF EMPLOYMENT AND WORKFORCE, page 462, paragraph 83.8, lines 6-12, by striking Proviso 83.8 in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

Senator SCOTT moved to lay the amendment on the table.

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

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

**Ayes 25; Nays 17**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Hayes Hembree

Leatherman *Martin, Larry Martin, Shane*

Massey O'Dell Peeler

Shealy Thurmond Turner

Young

**Total--25**

**NAYS**

Allen Coleman Ford

Hutto Jackson Johnson

Lourie Malloy Matthews

McElveen McGill Nicholson

Reese Scott Setzler

Sheheen Williams

**Total--17**

The amendment was adopted.

**Objection**

Senator LARRY MARTIN asked unanimous consent to take Amendment No. 125 up for immediate consideration.

Senator SCOTT objected.

**Amendment No. 116**

Senators CLEARY, DAVIS and HUTTO proposed the following amendment (DG RECTELEMEDICINE), which was adopted:

Amend the bill, as and if amended, Part IB, Section 105, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 491, after line 35, by adding an appropriately numbered new proviso to read:

/ *105.\_\_\_. (PEBA: Telemedicine) (A)(1) During the current fiscal year, the State Health Plan shall not require face‑to‑face contact between a consulting health care provider and a patient as a prerequisite for payment for covered services appropriately provided through telemedicine in accordance with generally accepted health care practices and standards at the time the telemedicine service was rendered.*

*(2) Notwithstanding the provisions of item (1), the State Health Plan shall establish coverage guidelines, documentation requirements, and benefit design standards for telemedicine services.*

*(B) Reimbursement for covered services provided through telemedicine shall be determined by the State Health Plan and shall be based upon Current Procedural Terminology (CPT) codes with appropriate GT telemedicine modifiers (via interactive audio and video telecommunications systems).*

*(C) It is the responsibility of the consulting health care provider to communicate the details of the telemedicine service with the patient’s primary care provider or referring health care provider within a mutually agreed upon time frame and mode of communication.*

*(D) The Board of Medical Examiners may authorize and establish standards for other forms or methods of providing health care services through telephone, facsimile, or electronic means, or combination thereof; provided, however, that the State Health Plan may reimburse for such other services but are not required by subsection (A) to do so. Further, the Board of Medical Examiners and the Board of Nursing shall use the same standards in evaluating and investigating a complaint and disciplining a licensee who practices telemedicine as it would use for a licensee who does not practice telemedicine.*

*(E) This provision does not affect health care services currently reimbursed by the State Health Plan that utilize electronic communications which are not real-time or preclude the Public Employee Benefit Authority from reimbursing for similar services in the future.*

*(F)(1) In the current fiscal year, and from funds appropriated, there must be a Telemedicine Advisory Council whose functions are to study telemedicine outcomes, evaluate reimbursement rates and make recommendations regarding the further development and use of telemedicine. The council shall consist of:*

*(a) the Director of the Department of Insurance or their designee;*

*(b) the Director of the Department of Health and Human Services or their designee;*

*(c) the Director of the Department of Labor, Licensing and Regulation or their designee;*

*(d) the Director of the Public Employee Benefit Authority or their designee;*

*(e) a member of the Senate appointed by the Chairman of the Senate Medical Affairs Committee;*

*(f) a member of the House of Representatives appointed by the Chairman of the House Labor, Commerce and Industry Committee;*

*(g) five members appointed by the Governor consisting of:*

*(i) a rural hospital administrator;*

*(ii) a physician with specialized knowledge and interest in the use of telemedicine;*

*(iii) a psychiatrist with specialized knowledge and interest in the use of telepsychiatry;*

*(iv) a representative from a health insurance issuer licensed to do business in this State; and*

*(v) a representative from a public medical school in South Carolina; and*

*(h) the Chairman of the Board of Directors for Palmetto Care Connections, Inc. or their designee, ex officio and non-voting.*

*(2) The Director of the Public Employee Benefit Authority or their designee shall serve as chairman. A quorum will be a majority of the members present but not less than four attendees. Members shall serve without per diem, subsistence, or mileage.*

*(3) Staff support shall be provided by the Public Employee Benefit Authority, the Senate, and the House of Representatives.*

*(4) Members shall be appointed no later than August 1, 2013. Vacancies must be filled in the manner of the original appointment. The initial meeting of the council shall be no later than December 1, 2013, and the council shall meet at least twice during the fiscal year or at the call of the chairman.*

*(5) The council shall make a progress report to the Public Employee Benefit Authority, the Chairman of the Senate Medical Affairs Committee and the Chairman of the House of Representatives Labor, Commerce and Industry Committee no later than June 30, 2014. The progress reports shall include, but not be limited to, evaluation of the access to health care; patient satisfaction of telemedicine services; medical outcomes; affordability of telemedicine health care services; and recommendations and results from item (6).*

*(6) The council shall research and evaluate the opportunities and challenges for further growth and development of telemedicine in South Carolina including, but not limited to, market incentives for telemedicine growth; market impediments to the use and growth of telemedicine; statutory and regulatory limitations to the utilization and growth of telemedicine; the value and availability of the various types of telemedicine available in medicine, including physician-to-patient telemedicine; the impact of telemedicine policy directives and decisions by the Board of Medical Examiners; and, liability concerns for providers and insurers.*

*(G) For the purposes of this provision:*

*(1) ‘Telemedicine’ means the delivery of health care, including diagnosis, treatment, or transfer of medical data, by means of bi-directional, real-time, interactive, secured and HIPAA compliant, electronic audio and video telecommunications systems by a consulting health care provider to a patient of a referring health care provider, at a referring site. HIPAA compliant electronic audio and video telecommunications systems must be used between the consultant site and referring site. Standard telephone, facsimile transmissions, unsecured electronic mail, or a combination of them do not constitute telemedicine services.*

*(2) ‘Consultant site’ means the physical site at which the consulting health care provider is located at the time the health care is provided by means of telemedicine.*

*(3) ‘Referring site’ means the physical site of the patient.*

*(4) ‘Consulting health care provider’ means an allopathic or osteopathic physician, physician assistant, or a nurse practitioner licensed in the State of South Carolina and practicing pursuant to their respective practice act under Title 40.*

*(5) ‘Referring health care provider’ means an allopathic or osteopathic physician, physician assistant, or nurse practitioner who, upon evaluation of the patient determines the need for consultation and makes the arrangements for the consulting health care provider services. A referring health care provider must be licensed in the State of South Carolina and practicing pursuant to their respective practice act under Title 40.*

*(6) ‘State Health Plan' means the employee and retiree insurance program administered by the Public Employee Benefit Authority.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

**Amendment No. 125**

Senators CAMPBELL and ALEXANDER proposed the following amendment (3710R069.PGC.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 106, DEPARTMENT OF REVENUE, page 493, line 22, by adding an appropriately numbered new proviso to read:

*/ 106.\_\_\_ (DOR: Rapid Response to Declared Disasters)(A)(1) For purposes of this proviso:*

*(a) ‘Registered business in this State’ or ‘registered business’ means a business entity that is registered to do business in this State before the declared state disaster or emergency.*

*(b) ‘Out‑of‑state business’ means a business entity that has no presence in the State and conducts no business in this State whose services are requested by a registered business or by a state or local government for purposes of performing disaster or emergency-related work in this State. This definition includes a business entity that is affiliated with the registered business in this State solely through common ownership. The out‑of‑state business must have no registrations or tax filings or nexus in the State before the declared state disaster or emergency.*

*(c) ‘Out‑of‑state employee’ means an employee who does not reside in or work in the State, except for disaster or emergency related work during the disaster period.*

*(d) ‘Infrastructure’ means property and equipment owned or used by communications networks, electric generation, transmission and distribution systems, gas distribution systems, water pipelines, and public roads and bridges and related support facilities that services multiple customers or citizens including, but not limited to, real and personal property such as buildings, offices, lines, poles, pipes, structures and equipment.*

*(e) ‘Declared state disaster or emergency’ means a disaster or emergency event:*

*(i) for which a Governor’s state of emergency proclamation has been issued;*

*(ii) for which a presidential declaration of a federal major disaster or emergency has been issued; or*

*(iii) other disaster or emergency event within this State for which a good faith response effort is required, and for which the Director of the South Carolina Department of Revenue designates the event as a disaster or emergency and thereby invokes this chapter.*

*(f) ‘Disaster period’ means a period that begins within ten days of the first day of the Governor’s proclamation, the President’s declaration or designation by the Director of the Department of Revenue, whichever occurs first, and that extends for a period of sixty calendar days after the end of the declared disaster or emergency period, or any longer period authorized by the designated state official or agency.*

*(g) ‘Disaster or emergency related-work’ means repairing, renovating, installing, building, rendering services or other business activities that relate to infrastructure that has been damaged, impaired, or destroyed by the event precipitating the declared state disaster or emergency.*

*(B)(1)(a) An out‑of‑state business that conducts operations within this State during Fiscal Year 2013-14 for purposes of performing work or services related to a declared state disaster or emergency during the portion of a disaster period that occurs during Fiscal Year 2013-14 must not be considered to have established a level of presence that would require that business to register, file, and remit state or local taxes or that would require that business or its out-of-state employees to be subject to any state licensing or registration requirements or any combination of these actions. Except as provided in subsection (B)(1)(b), this exemption includes all state or local business licensing or registration requirements or state and local taxes or fees including, but not limited to, unemployment insurance, state or local occupational licensing fees, sales and use tax, or property tax on equipment used or consumed during the disaster period, and includes South Carolina Public Service Commission and Secretary of State licensing and regulatory requirements. For purposes of a state or local tax on or measured by, in whole or in part, net or gross income or receipts, all activity of the out‑of‑state business that is conducted in this state pursuant to this chapter must be disregarded with respect to any filing requirements for that tax including the filing required for a unitary or combined group of which the out‑of‑state business may be a part.*

*(b) An out‑of‑state employee is not considered to have established residency or a presence in the State that would require that person or that person’s employer to file and pay income taxes or to be subjected to tax withholdings or to file and pay any other state or local tax or fee during the disaster period that occurs during Fiscal Year 2013-14. This includes any related state or local employer withholding and remittance obligations.*

*(2) Out‑of‑state businesses and out‑of‑state employees are not exempted by this chapter from transaction taxes and fees including, but not limited to, fuel taxes and fuel user fees or sales and use taxes on materials or services subject to sales and use tax, accommodations taxes, car rental taxes or fees that the out‑of‑state affiliated business or out‑of‑state employee purchases for use or consumption in this State during the disaster period, unless the taxes or fees are otherwise exempted during a disaster period.*

*(3) An out‑of‑state business or out‑of‑state employee that remains in the State during Fiscal Year 2013-14 and after the disaster period becomes subject to the state’s normal standards for establishing presence, residency or doing business in this State and the resulting requirements.*

*(C)(1)(a) The out‑of‑state business that enters this State upon request, shall provide to the Department of Revenue a notification statement that it is in this State for purposes of responding to the disaster or emergency, which statement must include the business’ name, state of domicile, principal business address, federal tax identification number, date of entry, and contact information.*

*(b) A registered business in this State, upon request, shall provide the information required in item (1)(a) of this subsection for an affiliate that enters this State that is an out‑of‑state business. The notification also must include contact information for the registered business in this State.*

*(2) An out‑of‑state business or an out‑of‑state employee that remains in this State during Fiscal Year 2013-14 and after the disaster period shall notify the Department of Revenue and shall comply with state and local registration, licensing, and filing requirements that ensue as a result of establishing the requisite business presence or residency in this State.”* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

**Amendment No. 112A**

Senator BRIGHT proposed the following amendment (DAD 117 SELECT COM ON BDGT3), which was adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 530, after line 18, by adding an appropriately numbered new proviso to read:

/ *(GP: Select Committee on Budget Dependence on Federal Funding) There is created the Select Committee on Budget Dependence on Federal Funding to conduct a study on the state budget to evaluate the effects of the costs of administering federal money by program.*

*The Select Committee shall be composed of the Lieutenant Governor, or his designee, who shall serve as Chairman of the committee; three members of the House of Representatives, appointed by the Speaker of the House of Representatives; three members of the Senate, appointed by the President Pro Tempore of the Senate, the Comptroller General, or his designee; and the State Treasurer, or his designee.*

*The committee must meet as soon as practicable after the appointment of its members. The committee shall organize itself by electing officers as the committee may consider necessary. Members shall serve without compensation, but may receive the usual mileage as is provided by law for members of state boards, commissions, and committees.*

*The committee shall submit a report based on its findings to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives on or before January 1, 2014. The committee shall terminate on May 31, 2014.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

The amendment was adopted.

**Amendment No. 66**

Senators SHEHEEN and BRIGHT proposed the following amendment (DAD 118.9 LOBBYISTS), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 533, paragraph 118.9, line 20, by striking /general fund appropriations/ and inserting /*any source of funds available to the state agency or institution*/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 533, paragraph 118.9, line 24, by striking /general fund appropriations/ and inserting /*any source of funds available to the state agency or institution*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN 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 11; Nays 29**

**AYES**

Bennett Campbell Campsen

Ford Hembree Hutto

Matthews McGill Nicholson

O'Dell Williams

**Total--11**

**NAYS**

Alexander Allen Bright

Bryant Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Hayes Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* McElveen Peeler

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Young

**Total--29**

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

Senator HUTTO spoke on the amendment.

**Point of Order**

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

The PRESIDENT overruled the Point of Order.

Senator HUTTO moved to lay the amendment on the table.

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

**Ayes 22; Nays 18**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Cromer Ford Gregory

Hembree Hutto Johnson

Lourie Massey Matthews

McGill Nicholson O'Dell

Reese Scott Setzler

Williams

**Total--22**

**NAYS**

Bright Bryant Coleman

Corbin Courson Davis

Fair Hayes Leatherman

Malloy *Martin, Larry Martin, Shane*

Peeler Shealy Sheheen

Thurmond Turner Young

**Total--18**

The amendment was laid on the table.

Senator LARRY MARTIN asked unanimous consent to take Amendment No. 124A up for immediate consideration.

There was no objection.

**Amendment No. 124A**

Senators BRIGHT, LARRY MARTIN, SHANE MARTIN and ALEXANDER proposed the following amendment (3710R071.LB.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 62, STATE LAW ENFORCEMENT DIVISION, page 445, after line 34, by adding an appropriately numbered new proviso to read:

/*62.\_\_. (SLED: CWP Renewal and Replacement) A concealed weapons permit may not be suspended by a state official, agent, or employee supported by state funds if the permit holder has initiated a renewal or replacement application and the processing and issuance of a renewal or replacement permit is delayed for administrative reasons. A concealed weapons permit remains valid during the pendency of the renewal or replacement process so long as the application for replacement renewal is submitted prior to the expiration of the permit.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LARRY MARTIN explained the amendment.

The amendment was adopted.

**Amendment No. 114**

Senator SHANE MARTIN proposed the following amendment (3710R056.SRM.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 533, paragraph 118.9, by adding an unnumbered paragraph after line 25 to read:

*/ For the current fiscal year, no college, university, or other institution of higher learning may expend more than $100,000 undertaking activities to influence the action or vote of any public official or public employee or to influence the outcome of public policy through direct communication with any public official or public employee. Each college, university, or other institution of higher learning, with the funds appropriated in this act, shall submit a report detailing all expenditures for such activities, including, but not limited to, the expenditures to any person who is employed, appointed, or retained, with or without compensation, by the college, university, or other institution of higher learning undertaking such activities during the fiscal year. The report shall be submitted no later than thirty days following the end of the fiscal year. The report shall be submitted to the Governor, Lieutenant Governor, Chairman of the House of Representatives Ways and Means Committee, and Chairman of the Senate Finance Committee.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHANE MARTIN explained the amendment.

Senator LOURIE spoke on the amendment.

Senator LOURIE moved to lay the amendment on the table.

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

**Ayes 28; Nays 12**

**AYES**

Allen Bennett Campbell

Campsen Cleary Coleman

Courson Cromer Ford

Gregory Hembree Hutto

Johnson Leatherman Lourie

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Reese Scott

Setzler Sheheen Turner

Williams

**Total--28**

**NAYS**

Alexander Bright Bryant

Corbin Davis Fair

Hayes Malloy *Martin, Shane*

Shealy Thurmond Young

**Total--12**

The amendment was laid on the table.

**Amendment No. 122**

Senator GREGORY proposed the following amendment (DG GGCOLLEGE), which was adopted:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 541, paragraph 118.17, by striking lines 3 - 11 and inserting:

/ *(12) H37 - University of South Carolina - Lancaster*

*(a)Deferred Maintenance $ 400,000;*

*(b)Parity Funding $ 148,400;*

*(13) H38 - University of South Carolina - Salkehatchie*

*Parity Funding $ 118,720;*

*(14) H39 - University of South Carolina - Sumter*

*Parity Funding $ 97,520;*

*(15) H40 - University of South Carolina - Union*

*Parity Funding $ 59,360;*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GREGORY explained the amendment.

The amendment was adopted.

**Amendment No. 39**

Senators BRYANT, BRIGHT and SHANE MARTIN proposed the following amendment (3710R024.KLB.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 545, after line 7, by adding an appropriately numbered new proviso to read:

/*118.\_\_\_ (SR: Non-Appropriated General Fund Revenue) Any general fund revenue projected to be available for appropriation in this act which is not appropriated must be transferred to the Department of Transportation for bridge replacement, rehabilitation, or maintenance projects.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRYANT explained the amendment.

**Point of Order**

Senator CLEARY raised a Point of Order that the amendment was out of order inasmuch as it was in violation of the separation of powers required by the South Carolina Constitution.

Senator DAVIS spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator DAVIS spoke on the amendment.

Senator SETZLER spoke on the amendment.

Senator CLEARY 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 24; Nays 16**

**AYES**

Alexander Allen Campbell

Cleary Coleman Courson

Cromer Ford Hayes

Hutto Johnson Leatherman

Lourie Malloy *Martin, Larry*

Matthews McGill Nicholson

O'Dell Reese Scott

Setzler Sheheen Williams

**Total--24**

**NAYS**

Bennett Bright Bryant

Campsen Corbin Davis

Fair Gregory Hembree

*Martin, Shane* Massey Peeler

Shealy Thurmond Turner

Young

**Total--16**

The amendment was laid on the table.

**Amendment No. 113**

Senators HAYES and SCOTT proposed the following amendment (DAD 1M NEW BUSES WHJS), 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: 47,772,878 41,097,878/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 4, line 24, opposite Bus Purchases by:

COLUMN 7 COLUMN 8

/ STRIKING: 15,506 15,506

and

INSERTING: 1,015,506 1,015,506/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HAYES explained the amendment.

Senator MALLOY moved to lay the amendment on the table.

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

**Ayes 8; Nays 33**

**AYES**

Bryant Ford Hutto

Johnson Malloy *Martin, Shane*

Setzler Sheheen

**Total--8**

**NAYS**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree Jackson Leatherman

Lourie *Martin, Larry* Massey

Matthews McGill Nicholson

O'Dell Peeler Reese

Scott Shealy Thurmond

Turner Williams Young

**Total--33**

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

Senator MALLOY spoke on the amendment.

The amendment was adopted.

**Amendment No. 120**

Senator SHANE MARTIN proposed the following amendment (DG SMEFA), which was tabled:

Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 11, line 5, by striking opposite:

COLUMN 7 COLUMN 8

Student Health Fitness/ 20,297,502 20,297,502/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 11, line 8, by striking opposite:

COLUMN 7 COLUMN 8

Guidance/Career Specialists/ 21,362,113 21,362,113/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 11, line 11, by striking opposite:

COLUMN 7 COLUMN 8

CDDEP - SCDE/ 18,536,574 18,536,574/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 11, line 3,

by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,335,811,295 1,335,811,295

and

INSERTING: 1,811,820,571 1,811,820,571/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHANE MARTIN explained the amendment.

**ACTING PRESIDENT PRESIDES**

At 8:47 P.M., Senator LARRY MARTIN assumed the Chair.

Senator SHANE MARTIN explained the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

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

**Ayes 36; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Ford Gregory

Hayes Hembree Hutto

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

Massey Matthews McGill

Nicholson O'Dell Peeler

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--36**

**NAYS**

Bright Bryant Corbin

*Martin, Shane*

**Total--4**

The amendment was laid on the table.

**Amendment No. 121**

Senators FAIR and HUTTO proposed the following amendment (LC GANG INVEST & PROSEC.), which was adopted:

Amend the bill, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 197, after line 22, which was added by Amendment #63, by:

COLUMN 7 COLUMN 8

STRIKING (2.00) (2.00)

and

INSERTING (1.00) (1.00)/

Amend the bill further, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 197, after line 31, which was added by Amendment #63, by:

COLUMN 7 COLUMN 8

STRIKING 300,000 300,000

and

INSERTING 200,000 200,000/

Amend the bill further, as and if amended, Part IA, Section 60, PROSECUTION COORDINATION COMMISSION, page 193, by inserting after line 11:

COLUMN 7 COLUMN 8

/Prosecution of Gang-

Related Crimes 100,000 100,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

**Amendment No. 73**

Senators LOURIE and FAIR proposed the following amendment (LC ALCOHOL ENFORCEMENT), which was adopted:

Amend the bill, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 199, by inserting after line 34:

COLUMN 7 COLUMN 8

/Law Enforcement Officer II 180,000 180,000

(4.00) (4.00)/

Amend the bill further, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 199, line 38, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,196,356 96,032

and

INSERTING: 2,395,956 295,632/

Amend the bill further, as and if amended, Part IA, Section 62, GOVERNOR’S OFF.- STATE LAW ENFORCEMENT DIVISION, page 202, line 37, by:

COLUMN 7 COLUMN 8

/ STRIKING: 10,870,681 8,779,670

and

INSERTING: 10,959,081 8,848,070/

Amend the bill further, as and if amended, Part IB, Section 62, STATE LAW ENFORCEMENT DIVISION, page 445, after line 34, by adding an appropriately numbered new proviso to read:

/*(SLED: Alcohol Enforcement) Of new funds appropriated in Fiscal Year 2013-14, the State Law Enforcement Division shall use up to $448,000 for Alcohol Enforcement.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LOURIE explained the amendment.

The amendment was adopted.

**Objection**

Senator SHANE MARTIN asked unanimous consent to take Amendment No. 123 up for immediate consideration.

Senator SETZLER objected.

**Amendment No. 108**

Senator SHANE MARTIN proposed the following amendment (DAD 84 NON FED AID HWY 75M):

Amend the bill, as and if amended, Part IA, Section 84, DEPARTMENT OF TRANSPORTATION, page 259, line 15, opposite “other operating expenses” by:

COLUMN 7 COLUMN 8

/ STRIKING: 38,800,000

and

INSERTING: 113,800,000 75,000,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

Senator SETZLER moved that the Senate stand adjourned.

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

**Ayes 29; Nays 11**

**AYES**

Alexander Allen Bryant

Campbell Cleary Coleman

Ford Gregory Hayes

Hutto Jackson Johnson

Leatherman Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Reese Scott

Setzler Sheheen Turner

Williams Young

**Total--29**

**NAYS**

Bennett Bright Campsen

Corbin Cromer Davis

Hembree *Martin, Shane* McElveen

Shealy Thurmond

**Total--11**

Debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Abbott L.“Abby” Bray, Jr. of West Columbia, S.C., former football coach of 23 years and Athletic Director of Brookland Cayce High School. He was a skilled athlete having lettered in football, wrestling and track and became a Golden Glove Boxer training under Joe Frazier in Philadelphia, PA. He was a wonderful son and loving father and doting grandfather.

and

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Gene Hancock of Greenwood, S.C. Mr. Hancock was the first person elected to serve as President of the Piedmont Technical College Alumni Association and was honored with the Presidential Medallion from Piedmont Technical College. He worked with the Greenwood Commissioners of Public Works from 1955 until his retirement in 1985, as Director of Gas Operations. He was currently serving as Chairman of Greenwood Commissioners of Public Works. He was a loving father and doting grandfather.

**ADJOURNMENT**

At 9:18 P.M., on motion of Senator SETZLER, the Senate adjourned to meet tomorrow at 10:00 A.M.

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