**Thursday, January 23, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

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

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

From the book Daniel we recall the story that:

 “...[Nebuchadnezzar] ordered some of the strongest guards in his army to bind Shadrach, Meshach, and Abednego and to throw them into the furnace of blazing fire.” (Daniel 3:20)

 Let us pray:

 How often, O God, do these Senators find themselves caught up in the “fires” of public opinion. There are most often at least one or two groups or individuals who, for varying reasons, fail to support the positions and the actions of these dedicated leaders. Lord, grant to each Senator and to every staff member the courage if not the fire-proof faith to stand behind their hopes and dreams for the people of South Carolina. Allow each of these servants to survive the flames of controversy in every circumstance. We are thankful for their dedication and their perseverance. So we pray in Your loving name, Lord. Amen.

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

**Motion to Ratify Adopted**

 At 11:05 A.M., Senator PEELER asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at 12:30 P.M.

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

**RATIFICATION OF ACTS**

 Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on January 23, 2014, at 12:30 P.M. and the following Acts were ratified:

 (R124, S. 22) -- Senators Sheheen, Massey, L. Martin, Hayes, Campsen, Nicholson, Young and Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE “SOUTH CAROLINA RESTRUCTURING ACT OF 2014” SO AS TO TRANSFER, REALIGN, OR RESTRUCTURE VARIOUS AGENCIES, PROGRAMS, REQUIREMENTS, AND PROCEDURES IN THE EXECUTIVE AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT, INCLUDING PROVISIONS TO ABOLISH THE STATE BUDGET AND CONTROL BOARD ON JULY 1, 2015; TO AMEND SECTION 1‑30‑10, AS AMENDED, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 1‑11‑10, RELATING TO THE COMPOSITION OF THE STATE BUDGET AND CONTROL BOARD, SO AS TO ABOLISH THE STATE BUDGET AND CONTROL BOARD AND TRANSFER CERTAIN PROGRAMS, POWERS, DUTIES, AND RESPONSIBILITIES TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 1‑11‑20, AS AMENDED, RELATING TO THE DIVISIONS AND STAFF OF THE STATE BUDGET AND CONTROL BOARD, SO AS TO TRANSFER CERTAIN DIVISIONS AND STAFF TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 1‑30‑10, AS AMENDED, RELATING TO THE GOVERNING AUTHORITY OF CERTAIN DEPARTMENTS AND AGENCIES, SO AS TO REQUIRE REPORTS TO THE GOVERNOR AND THE GENERAL ASSEMBLY EACH YEAR REGARDING RESTRUCTURING OF DIVISIONS, PROGRAMS, OR PERSONNEL BY THOSE DEPARTMENTS AND AGENCIES AND MAKE CONFORMING CHANGES REGARDING THE SEVEN‑YEAR OVERSIGHT STUDY AND INVESTIGATION; TO AMEND SECTION 8‑27‑10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW, SO AS TO REVISE THE DEFINITION OF “REPORT”; BY ADDING SECTION 8‑27‑60 SO AS TO REQUIRE PUBLIC BODIES TO MAKE A SUMMARY OF THE CHAPTER ON EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW AVAILABLE ON ITS INTERNET WEBSITE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1‑11‑55, AS AMENDED, 1‑11‑56, 1‑11‑58, 1‑11‑65, 1‑11‑67, 1‑11‑70, 1‑11‑80, 1‑11‑90, 1‑11‑100, 1‑11‑110, 1‑11‑180, BY ADDING SECTION 1‑11‑185, TO AMEND SECTIONS 1‑11‑220, AS AMENDED, 1‑11‑225, 1‑11‑250, 1‑11‑260, 1‑11‑270, 1‑11‑280, 1‑11‑290, 1‑11‑300, 1‑11‑310, AS AMENDED, 1‑11‑315, 1‑11‑320, 1‑11‑335, 1‑11‑340, 1‑15‑10, AS AMENDED, 2‑59‑10, CHAPTER 9 OF TITLE 3, SECTIONS 10‑1‑10, 10‑1‑30, 10‑1‑130, 10‑1‑190, CHAPTER 9 OF TITLE 10, SECTIONS 10‑11‑50, 10‑11‑90, 10‑11‑110, 10‑11‑140, 10‑11‑330, 11‑7‑10, 11‑7‑30, 11‑9‑610, 11‑9‑620, 11‑9‑630, 11‑9‑665, 11‑9‑670, 11‑9‑680, 11‑35‑3820, 11‑35‑3840, 11‑35‑5270, 11‑42‑30, 11‑42‑40, 11‑42‑60, 11‑53‑20, AS AMENDED, 13‑7‑10, 13‑7‑30, 13‑7‑810, 13‑7‑830, 13‑7‑860, 16‑3‑1620, ALL AS AMENDED, 16‑3‑1680, 25‑11‑10, 25‑11‑80, AS AMENDED, 25‑11‑90, 25‑11‑310, 44‑53‑530, AS AMENDED, 44‑96‑140, 48‑46‑30, 48‑46‑40, 48‑46‑50, 48‑46‑60, 48‑46‑90, 63‑11‑500, AS AMENDED, 63‑11‑700, AS AMENDED, 63‑11‑730, 63‑11‑1110, 63‑11‑1140, 44‑38‑380, 63‑11‑1310, 63‑11‑1340, 63‑11‑1360, AND 63‑11‑1510, ALL RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS, ALL SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION, THE STATE FISCAL ACCOUNTABILITY AUTHORITY, OTHER APPROPRIATE STATE AGENCIES, OR TO SUPPLEMENT SUCH PROVISIONS; TO REPEAL SECTION 1‑30‑110 RELATING TO SPECIFIC AGENCIES, BOARDS, AND COMMISSIONS AND THEIR RELATED ENTITIES ADMINISTERED UNDER THE OFFICE OF THE GOVERNOR; BY ADDING ARTICLE 11 TO CHAPTER 9, TITLE 11 SO AS TO PROVIDE FOR THE REVENUE AND FISCAL AFFAIRS OFFICE AND PROVIDE FOR ITS ORGANIZATION, DUTIES, POWERS, AND PROCEDURES; TO AMEND SECTIONS 11‑9‑820, 11‑9‑825, 11‑9‑830, AND 11‑9‑880, ALL RELATING TO THE BOARD OF ECONOMIC ADVISORS, SO AS TO MAKE THE BOARD A DIVISION OF THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO FURTHER PROVIDE FOR ITS PROCEDURES, DUTIES, AND FUNCTIONS; TO AMEND SECTIONS 2‑7‑72, 2‑7‑73, 2‑7‑74, AND 2‑7‑76, ALL RELATING TO THE FISCAL IMPACT OF BILLS OR RESOLUTIONS, SO AS TO FURTHER PROVIDE FOR HOW THESE FISCAL IMPACTS ARE DETERMINED AND REPORTED; BY ADDING SECTION 1‑30‑125 SO AS TO ESTABLISH THE EXECUTIVE BUDGET OFFICE WITHIN THE DEPARTMENT OF ADMINISTRATION AND TRANSFER CERTAIN PORTIONS OF THE OFFICE OF STATE BUDGET OF THE STATE BUDGET AND CONTROL BOARD TO THE REVENUE AND FISCAL AFFAIRS OFFICE EXCEPT FOR EMPLOYEES REQUIRED TO SUPPORT THE EXECUTIVE BUDGET OFFICE; TO AMEND SECTION 11‑9‑890, AS AMENDED, RELATING TO THE DELINEATION OF FISCAL YEAR REVENUE ESTIMATES BY QUARTERS AND ACTION TO AVOID YEAR‑END DEFICITS, SO AS TO REQUIRE THE BOARD OF ECONOMIC ADVISORS TO REDUCE REVENUE FORECASTS UNDER CERTAIN CIRCUMSTANCES AND ALLOW THE SENATE AND HOUSE OF REPRESENTATIVES TO COME INTO SESSION TO AVOID A YEAR‑END DEFICIT AMONG OTHER THINGS; BY ADDING CHAPTER 79 TO TITLE 2 SO AS TO PROVIDE PROCEDURES AND REQUIREMENTS PERTAINING TO STATE AGENCY DEFICIT PREVENTION AND RECOGNITION; TO REPEAL SECTION 1‑11‑495 RELATING TO YEAR‑END DEFICITS, AND SECTIONS 11‑9‑230 THROUGH 11‑9‑270 ALL RELATING TO BORROWING MONEY BY THE STATE BUDGET AND CONTROL BOARD; TO AMEND SECTIONS 48‑52‑410, 48‑52‑440, 48‑52‑460, 48‑52‑635, AND 48‑52‑680, RELATING TO THE STATE ENERGY OFFICE, SO AS TO PROVIDE THAT THE STATE ENERGY OFFICE SHALL BE A PART OF THE OFFICE OF REGULATORY STAFF AND TO FURTHER PROVIDE FOR THE PROGRAMS AND OPERATIONS OF THE STATE ENERGY OFFICE; TO AMEND SECTIONS 1‑11‑25 AND 1‑11‑26, BOTH RELATING TO THE LOCAL GOVERNMENT DIVISION OF THE STATE BUDGET AND CONTROL BOARD, AND BY ADDING SECTION 11‑50‑65, ALL SO AS TO PROVIDE THAT THE LOCAL GOVERNMENT DIVISION SHALL BECOME A PART OF THE RURAL INFRASTRUCTURE AUTHORITY, FOR THE OPERATIONS OF THE DIVISION OF LOCAL GOVERNMENT, FOR THE OPERATIONS AND EMPLOYEES OF THE RURAL INFRASTRUCTURE AUTHORITY, AND FOR THE USE AND TRANSFER OF CERTAIN FUNDING TO THE AUTHORITY; TO AMEND SECTION 11‑37‑200, RELATING TO THE WATER RESOURCES COORDINATING COUNCIL, SO AS TO CORRECT REFERENCES FROM THE STATE BUDGET AND CONTROL BOARD TO THE RURAL INFRASTRUCTURE AUTHORITY; BY ADDING CHAPTER 17 TO TITLE 60 SO AS TO ESTABLISH THE SOUTH CAROLINA CONFEDERATE RELIC ROOM AND MILITARY COMMISSION AND PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REPEAL ARTICLE 7, CHAPTER 11, TITLE 1 RELATING TO THE SOUTH CAROLINA CONFEDERATE RELIC ROOM AND MILITARY MUSEUM; BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO ESTABLISH THE STATE FISCAL ACCOUNTABILITY AUTHORITY AND PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS; TO AMEND CHAPTER 47, TITLE 2, RELATING TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO MAKE CONFORMING CHANGES TO REFERENCE THE STATE FISCAL ACCOUNTABILITY AUTHORITY AND REVISE THE MANNER IN WHICH THE COMMITTEE REVIEWS PERMANENT IMPROVEMENT PROJECTS AND THEIR FUNDING, THE PROCESS BY WHICH THESE PROJECTS AND THEIR FUNDING ARE APPROVED, AND FOR THE REPORTING OF CERTAIN NEW PROJECTS; TO PROVIDE THAT THE INSURANCE RESERVE FUND IS TRANSFERRED TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY AS ONE OF ITS DIVISIONS; TO AMEND SECTIONS 1‑11‑140 AND 15‑78‑140, RELATING TO THE PROVISIONS OF TORT LIABILITY COVERAGE BY THE STATE, SO AS TO CONFORM THESE SECTIONS TO THE ABOVE PROVISIONS; TO AMEND SECTION 1‑11‑440, RELATING TO THE DUTY OF THE STATE TO DEFEND MEMBERS OF THE STATE BUDGET AND CONTROL BOARD AGAINST CLAIM OR SUIT ARISING OUT OF THEIR OFFICIAL ACTIONS, SO AS TO DELETE REFERENCES TO THE BOARD AND INCLUDE REFERENCES TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY AND DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTIONS 11‑18‑20, 11‑27‑10, BY ADDING SECTION 11‑31‑5, TO AMEND SECTIONS 11‑35‑310, AS AMENDED, 11‑38‑20, 11‑41‑70, AS AMENDED, 11‑41‑80, 11‑41‑90, 11‑41‑100, 11‑41‑180, 11‑43‑510, 11‑45‑30, 11‑45‑55, 11‑45‑105, 11‑51‑30, 11‑51‑125, AND 11‑51‑190, ALL RELATING TO VARIOUS BOND OR OTHER FINANCIAL PROVISIONS, SECTION 11‑37‑30, RELATING TO THE SOUTH CAROLINA RESOURCES AUTHORITY, SECTION 11‑40‑20, RELATING TO THE INFRASTRUCTURE FACILITIES AUTHORITY, SECTION 11‑40‑250, RELATING TO THE DIVISION OF LOCAL GOVERNMENT, AND SECTION 11‑49‑40, RELATING TO THE TOBACCO SETTLEMENT AUTHORITY, ALL SO AS TO CORRECT REFERENCES FROM THE STATE BUDGET AND CONTROL BOARD TO THE APPROPRIATE ENTITY AND MAKE CONFORMING CHANGES; TO AMEND SECTIONS 59‑109‑30 AND 59‑109‑40, RELATING TO THE EDUCATIONAL FACILITIES AUTHORITY FOR PRIVATE NONPROFIT INSTITUTIONS OF HIGHER LEARNING, SECTIONS 59‑115‑20 AND 59‑115‑40, RELATING TO THE STATE EDUCATION ASSISTANCE AUTHORITY, AND SECTION 48‑5‑30, RELATING TO THE WATER QUALITY REVOLVING FUND AUTHORITY, ALL SO AS TO PROVIDE THAT THEIR RESPECTIVE GOVERNING BODY SHALL BE THE STATE FISCAL ACCOUNTABILITY AUTHORITY, AND TO MAKE CONFORMING REFERENCES; TO CREATE THE CHARLESTON NAVAL BASE MUSEUM AUTHORITY AS A DIVISION OF THE CHARLESTON NAVAL REDEVELOPMENT AUTHORITY AND RESTRUCTURE THE MEMBERSHIP OF THE LATTER; TO AMEND SECTION 2‑65‑15, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA FEDERAL AND OTHER FUNDS OVERSIGHT ACT, SO AS TO REVISE THE DEFINITION OF THE TERM “BOARD”; BY ADDING SECTION 2‑65‑130 SO AS TO PROVIDE FOR THE FORWARDING OF AN EXPENDITURE PROPOSAL FROM THE EXECUTIVE BUDGET OFFICE TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND SECTIONS 41‑43‑100 AND 41‑43‑110, BOTH AS AMENDED, RELATING TO THE JOBS‑ECONOMIC DEVELOPMENT AUTHORITY, SO AS TO CHANGE REFERENCES FROM THE STATE BUDGET AND CONTROL BOARD TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND SECTION 2‑15‑50, RELATING TO THE LEGISLATIVE AUDIT COUNCIL, SO AS TO REVISE THE MISSION TO INCLUDE RECOMMENDATIONS ON WHETHER ORGANIZATIONS, PROGRAMS, OR FUNCTIONS SHOULD BE CONTINUED, REVISED, OR ELIMINATED; AND TO REQUIRE THE LEGISLATIVE AUDIT COUNCIL TO CONDUCT A PERFORMANCE REVIEW OF THE ACT DURING THE YEAR 2020 TO DETERMINE ITS EFFECTIVENESS AND ACHIEVEMENTS, AND TO PROVIDE FOR OTHER TRANSITIONAL PROVISIONS, FOR THE EFFECTIVE DATE OF THE ACT, AND FOR THE MANNER IN WHICH IT SHALL BE IMPLEMENTED.

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 (R125, S. 502) -- Senator O’Dell: AN ACT TO AUTHORIZE THE STARR‑IVA WATER AND SEWER DISTRICT IN ANDERSON COUNTY TO PROVIDE WATER SERVICE TO A SPECIFIED AREA OF ABBEVILLE COUNTY, UPON THE CONSENT OF THE GOVERNING BODY OF ABBEVILLE COUNTY, TO SOLVE A CRITICAL WATER SERVICE PROBLEM.

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 (R126, S. 671) -- Senator Massey: AN ACT TO AMEND SECTION 7‑7‑240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN EDGEFIELD COUNTY, SO AS TO REVISE CERTAIN PRECINCTS AND TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointments**

Initial Appointment, Director of Department of Corrections, with term coterminous with Governor

Bryan P. Stirling, 2127 Kiawah Ave., Columbia, SC 29205

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2013, and to expire June 30, 2017

2nd Congressional District:

Margaret Jo B. Hecker, 409 Longtown Rd. West, Blythewood, SC 29016

Referred to the Committee on Judiciary.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2012, and to expire June 30, 2016

At-Large:

Pamela W. Shealy, 237 Blue Cedar Rd., Irmo, SC 29063

Referred to the Committee on Labor, Commerce and Industry.

**Doctor of the Day**

 Senator JACKSON introduced Dr. Patricia Witherspoon, President Elect of the SC Academy of Family Practice of Columbia, S.C., along with first year intern, Dr. Stephen Nix, Doctors of the Day.

**CO-SPONSORS ADDED**

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

S. 898 Sen. Coleman

S. 963 Sen. Coleman

S. 940 Sen. Peeler

**INTRODUCTION OF BILLS AND RESOLUTIONS**

 The following were introduced:

 S. 970 -- Senators Campsen, Hutto, Matthews and Coleman: A BILL TO AMEND CHAPTER 4, TITLE 49 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SURFACE WATER WITHDRAWAL, PERMITTING USE, AND REPORTING ACT, BY ENACTING THE "SURFACE WATER STEWARDSHIP ACT" TO PROVIDE THAT REGISTERED SURFACE WATER WITHDRAWERS UNDER CERTAIN CONDITIONS MUST OBTAIN A SURFACE WATER WITHDRAWAL PERMIT RATHER THAN REGISTERING WITHDRAWALS; TO PROVIDE THAT CERTAIN REGISTERED SURFACE WATER WITHDRAWERS ARE EXEMPT FROM THE PERMITTING REQUIREMENT; AND TO PROVIDE THAT INCREASES IN SURFACE WATER WITHDRAWALS BY REGISTERED SURFACE WATER WITHDRAWERS ARE SUBJECT TO PERMITTING REQUIREMENTS ON THE INCREASED AMOUNT UNDER CERTAIN CIRCUMSTANCES.

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 Senator CAMPSEN spoke on the Bill.

 Read the first time and referred to the Committee on Agriculture and Natural Resources.

 S. 971 -- Senator Campbell: A BILL TO AMEND SECTION 33-1-103, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESIGNATION OF REPRESENTATION BY A CORPORATION OR PARTNERSHIP IN MAGISTRATES COURT, SO AS TO EXPAND THE LIST OF NONLAWYERS ASSOCIATED WITH A CORPORATION OR BUSINESS WHO MAY REPRESENT THE ENTITY IN MAGISTRATES COURT.

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

 S. 972 -- Senator Williams: A CONCURRENT RESOLUTION TO CONGRATULATE DIANE SKIPPER LEWIS OF HORRY COUNTY ON BEING NAMED 2014 HORRY ELECTRIC COOPERATIVE RURAL LADY OF THE YEAR.

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

 S. 973 -- Senator Cleary: A SENATE RESOLUTION TO CONGRATULATE LIEUTENANT JAMES "SMOKEY" ELLIOTT, FORMER MIDWAY FIRE RESCUE FIREFIGHTER PARAMEDIC, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS TWENTY-FIVE YEARS OF DEDICATED SERVICE TO THE CITIZENS OF GEORGETOWN COUNTY, AND TO EXTEND BEST WISHES FOR MUCH SUCCESS AND FULFILLMENT IN THE DAYS AHEAD.

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 The Senate Resolution was adopted.

 S. 974 -- Senators Hayes and Campbell: A BILL TO AMEND SECTION 6-5-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED INVESTMENTS OF POLITICAL SUBDIVISIONS, SO AS TO AUTHORIZE INVESTMENTS IN DEPOSIT ACCOUNTS IN BANKS TO THE EXTENT THAT THE SAME ARE INSURED BY AN AGENCY OF THE FEDERAL GOVERNMENT; AND TO AMEND SECTION 11-9-660, RELATING TO AUTHORIZED INVESTMENTS OF THE STATE TREASURER, SO AS TO AUTHORIZE INVESTMENTS IN DEPOSIT ACCOUNTS IN BANKS AND SAVINGS AND LOAN ASSOCIATIONS TO THE EXTENT THE SAME ARE INSURED BY AN AGENCY OF THE FEDERAL GOVERNMENT.

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

 S. 975 -- Senator Cleary: A CONCURRENT RESOLUTION TO RECOGNIZE THE LAST SATURDAY OF SEPTEMBER EACH YEAR AS GREEN APPLE DAY OF SERVICE IN SOUTH CAROLINA.

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

 S. 976 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ROBERT W. PRICE, JR. FOR HIS OUTSTANDING SERVICE AS A COMMISSIONER ON THE RICHLAND-LEXINGTON AIRPORT COMMISSION FOR ALMOST A DECADE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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 The Senate Resolution was adopted.

 H. 3764 -- Reps. Long, K. R. Crawford, Norrell, Knight, Erickson, Barfield, Delleney, Dillard, Douglas, Gagnon, Henderson, Loftis, Newton, Pope, Ridgeway, Spires, Stringer and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "NONEMBRYONIC AND NONFETAL CELL THERAPY ACT" BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF NONEMBRYONIC AND NONFETAL CELL OR TISSUE BANKS; TO DEFINE NONEMBRYONIC AND NONFETAL CELL FOR PURPOSES OF THE ARTICLE; TO PROHIBIT STATE AND LOCAL GOVERNMENTAL AUTHORITIES FROM REGULATING NONEMBRYONIC AND NONFETAL CELL OR TISSUE BANKS OR FROM TAKING DISCIPLINARY ACTION OR IMPOSING PENALTIES OR CIVIL OR CRIMINAL LIABILITY FOR ENGAGING IN ACTIVITIES AUTHORIZED BY THIS ARTICLE; TO PROHIBIT LICENSING BOARDS FROM ABSOLVING THEMSELVES OF THE RESPONSIBILITY TO REGULATE LICENSEES OR TO REGULATE PROCEDURES USED TO PERFORM THE ACTIVITIES PERMITTED PURSUANT TO THIS ARTICLE; TO PROHIBIT IMMUNITY FROM PENALTIES OR CIVIL AND CRIMINAL LIABILITY FOR INDIVIDUALS WHO FAIL TO EXERCISE REASONABLE CARE IN PROVIDING SERVICES PURSUANT TO THIS ARTICLE; AND TO ESTABLISH QUALIFICATIONS AND LIMITATIONS PERTAINING TO THE PURCHASE, COMPOUNDING, DELIVERY, AND ADMINISTRATION OF NONEMBRYONIC AND NONFETAL CELLS.

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

 H. 4521 -- Reps. Newton, Herbkersman and Bowers: A BILL TO AMEND SECTION 7-7-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD A PRECINCT AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAME OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

**REPORTS OF STANDING COMMITTEES**

**Appointment Reported**

 Senator COURSON from the Committee on Education submitted a favorable report on:

**Statewide Appointment**

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2013, and to expire April 1, 2018

At-Large:

 Patricia Sara Silva, 1726 Carolina Dr., Aiken, SC 29801 *VICE* Rosalind Neal

 Received as information.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4166 -- Reps. Clemmons and Goldfinch: A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION REVISING OR REQUIRING REVISIONS TO THE BOUNDARIES OF THE SOUTHEASTERN UNITED STATES FEDERAL OUTER CONTINENTAL SHELF ADMINISTRATIVE DISTRICTS’ BOUNDARIES ESTABLISHED BY THE BUREAU OF OCEAN ENERGY MANAGEMENT OF THE UNITED STATES DEPARTMENT OF INTERIOR TO PROTECT SOUTH CAROLINA’S INTERESTS WITH RESPECT TO COMMERCIAL ENERGY LEASES IN THESE DISTRICTS.

Ordered for consideration tomorrow.

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

**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 BRIGHT, the Bill was carried over.

H. 3853 -- Reps. Owens, Patrick, Bedingfield, Loftis, Taylor, Allison, Anthony, Brannon, Southard, Bowen, Whitmire, Limehouse, Cole, Erickson, Forrester, Harrell, Herbkersman, Hixon, Lucas, D.C. Moss, Norman, Pitts, Pope, Putnam, Simrill, G.R. Smith, Sottile, Stringer, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑111 SO AS TO AUTHORIZE AN ALTERNATIVE EDUCATION CAMPUS (AEC) TO BE ESTABLISHED BY A CHARTER SCHOOL SPONSOR WHICH SHALL CONSTITUTE A CHARTER SCHOOL SERVING A SPECIFIC STUDENT POPULATION, AND TO PROVIDE THE CRITERIA FOR A CHARTER SCHOOL TO BE DESIGNATED AS AN AEC; TO AMEND SECTION 59‑40‑55, RELATING TO A CHARTER SCHOOL SPONSOR’S POWERS AND DUTIES, SO AS TO FURTHER PROVIDE FOR THESE POWERS AND DUTIES INCLUDING THE ADOPTION OF NATIONAL INDUSTRY STANDARDS FOR THE SCHOOL, AND THE CLOSURE OF LOW PERFORMING SCHOOLS; TO AMEND SECTION 59‑40‑60, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATIONS AND THE FORMATION OF CHARTER SCHOOLS, SO AS TO PROVIDE THAT THE CHARTER SCHOOL APPLICATION MUST BE BASED ON AN APPLICATION TEMPLATE WITH COMPLIANCE GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION, AND TO FURTHER PROVIDE FOR THE CONTENTS OF THE APPLICATION AND FOR LETTERS OF INTENT TO BE SUBMITTED BY AN APPLICANT AND A CHARTER COMMITTEE; TO AMEND SECTION 59‑40‑70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE AND ITS DUTY TO REVIEW CHARTER SCHOOL APPLICATIONS, SO AS TO DELETE THE COMMITTEE, TO REVISE THE PROCEDURES REQUIRED OF A CHARTER SCHOOL APPLICANT IN REGARD TO A CHARTER SCHOOL APPLICATION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL PROVIDE GUIDANCE ON COMPLIANCE TO BOTH SPONSORS AND APPLICANTS, AND TO FURTHER PROVIDE FOR THE STANDARDS FOR A SCHOOL BOARD OF TRUSTEES OR AREA COMMISSION TO FOLLOW WHEN CONSIDERING THE DENIAL OF AN APPLICATION; TO AMEND SECTION 59‑40‑90, AS AMENDED, RELATING TO APPEAL OF FINAL DECISIONS OF A SCHOOL DISTRICT TO THE ADMINISTRATION LAW COURT, SO AS TO ALSO INCLUDE FINAL DECISIONS OF A PUBLIC OR INDEPENDENT INSTITUTION OF HIGHER LEARNING SPONSOR; TO AMEND SECTION 59‑40‑110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER SCHOOL SPONSOR AND THE RENEWAL OR TERMINATION OF A CHARTER BY THE SPONSOR, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN A CHARTER SCHOOL SHALL AUTOMATICALLY AND PERMANENTLY CLOSE, TO REVISE THE CRITERIA TO CONSIDER WHEN REVOKING OR NOT RENEWING A CHARTER, TO PROVIDE FOR WHEN A SPONSOR SUMMARILY MAY REVOKE A CHARTER, AND TO PROVIDE FOR THE MANNER IN WHICH STAYS OF THE REVOCATION OR NONRENEWAL OF THE CHARTER TAKE EFFECT OR MAY BE GRANTED; TO AMEND SECTION 59‑40‑115, AS AMENDED, RELATING TO THE TERMINATION OF A CHARTER SCHOOL’S CONTRACT WITH A SPONSOR, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; AND TO AMEND SECTION 59‑40‑180, AS AMENDED, RELATING TO REGULATIONS AND GUIDELINES PERTAINING TO CHARTER SCHOOLS, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE.

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

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

**MOTION ADOPTED**

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

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

**AMENDMENT PROPOSED, DEBATE INTERRUPTED**

H. 3945 -- Reps. G.M. Smith, Harrell, Lucas, Bannister, Toole, Stringer, Hamilton, Sottile, Barfield, Bingham, Spires, Hardwick, Owens, Hiott, Long, Erickson, Murphy, Horne, Willis, Gagnon, Simrill, Funderburk and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 13, TITLE 8 SO AS TO ESTABLISH THE SOUTH CAROLINA COMMISSION ON ETHICS ENFORCEMENT AND DISCLOSURE, TO PROVIDE FOR ITS POWERS, DUTIES, PROCEDURES, AND JURISDICTION, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; TO REPEAL ARTICLE 3, CHAPTER 13, TITLE 8 RELATING TO THE STATE ETHICS COMMISSION; TO REPEAL ARTICLE 5, CHAPTER 13, TITLE 8 RELATING TO THE HOUSE OF REPRESENTATIVES AND SENATE ETHICS COMMITTEES; TO AMEND SECTION 8‑13‑100, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8‑13‑700, AS AMENDED, RELATING TO USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, SO AS TO PROVIDE THAT IF A MEMBER OF THE GENERAL ASSEMBLY DETERMINES THAT HE HAS A CONFLICT OF INTEREST, HE MUST COMPLY WITH CERTAIN REQUIREMENTS BEFORE ABSTAINING FROM ALL VOTES ON THE MATTER, AND TO PROVIDE FOR WHEN A PUBLIC OFFICIAL WHO IS REQUIRED TO RECUSE HIMSELF FROM A MATTER MUST DO SO; TO AMEND SECTION 8‑13‑740, AS AMENDED, RELATING TO REPRESENTATION OF ANOTHER PERSON BY A PUBLIC OFFICIAL BEFORE A GOVERNMENTAL ENTITY, SO AS TO FURTHER DELINEATE WHAT IS CONSIDERED A CONTESTED CASE WHEN REPRESENTATION BY A MEMBER OF THE GENERAL ASSEMBLY IS PERMITTED; TO AMEND SECTION 8‑13‑745, RELATING TO PAID REPRESENTATION OF CLIENTS AND CONTRACTING BY A MEMBER OF THE GENERAL ASSEMBLY OR AN ASSOCIATE IN PARTICULAR SITUATIONS, SO AS TO DELETE A PROHIBITION AGAINST CERTAIN CONTRACTS WITH AN ENTITY FUNDED WITH GENERAL FUNDS; TO AMEND SECTION 8‑13‑1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTEREST, SO AS TO FURTHER PROVIDE FOR THESE CONTENTS; TO AMEND SECTION 8‑13‑1300, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8‑13‑1318, RELATING TO ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBTS, SO AS TO REQUIRE ANY SUCH CONTRIBUTIONS TO BE USED FOR THIS PURPOSE ONLY; TO AMEND SECTION 8‑13‑1338, RELATING TO PERSONS WHO MAY NOT SOLICIT CONTRIBUTIONS, SO AS TO INCLUDE THE HEAD OF ANY STATE AGENCY WHO IS SELECTED BY THE GOVERNOR, THE GENERAL ASSEMBLY, OR AN APPOINTED OR ELECTED BOARD; TO AMEND SECTION 8‑13‑1340, AS AMENDED, RELATING TO RESTRICTIONS ON CONTRIBUTIONS BY ONE CANDIDATE TO ANOTHER OR THROUGH COMMITTEES CONTROLLED BY A CANDIDATE, SO AS TO DELETE AN EXCEPTION FOR A COMMITTEE CONTROLLED BY A CANDIDATE IF IT IS THE ONLY SUCH COMMITTEE, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 8‑13‑1510 AND 8‑13‑1520, BOTH AS AMENDED, RELATING TO PENALTIES FOR ETHICAL AND OTHER VIOLATIONS, AND BY ADDING SECTION 8‑13‑1530 SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS AND FOR WHERE CERTAIN WILFUL VIOLATIONS MUST BE TRIED; AND TO REPEAL SECTIONS 8‑13‑710 AND 8‑13‑715 RELATING TO REPORTING OF PARTICULAR GIFTS AND AUTHORIZED REIMBURSEMENTS FOR SPEAKING ENGAGEMENTS.

 The Senate resumed consideration of the Bill, the question being the adoption of the previously proposed amendment, Amendment No. 1, which was printed in the Journal of Wednesday, January 22, 2014.

 Senator RANKIN spoke on the amendment.

 Senator COURSON spoke on the amendment.

 Senator LARRY MARTIN spoke on the amendment.

 Senator SCOTT spoke on the amendment.

 Debate was interrupted by adjournment.

**MOTION ADOPTED**

 On motion of Senators HUTTO and COURSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. John W. Rheney, Jr. of Orangeburg, S.C. Dr. Rheney served our country in the U.S. Army in the 1940's. Dr. Rheney organized and chaired the first polio immunization drive in Orangeburg County. He was instrumental in the development of Orangeburg's Regional Medical Center and served on the Medical Center's Board of Trustees and Steering Committee and was Chief of Staff in 1963. He received the William Weston
Award for distinguished service in pediatrics from USC School of Medicine. Dr. Rheney served as President of the Orangeburg County Medical Society, President of the SC Pediatric Society, and Trustee and Treasurer of the SC Medical Association. He served his community well being a charter member and trustee of St. Andrews United Methodist Church. He served on a number of other committees. Dr. Rheney was a former president of the Orangeburg Lions Club and former chairman of the Orangeburg County Republican Party. He was a loving husband, devoted father and doting grandfather.

and

**MOTION ADOPTED**

 On motion of Senators ALEXANDER and LARRY MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Archie Barron of Seneca, SC. Mr. Barron worked as the Human Resources Manager for Phillips Fibers/Amoco Fabrics and Fibers in Seneca. He was a member of Oconee County Council where he represented District 3. Mr. Barron was in the Seneca Rotary Club, a member of the Rosa Clark Medical Clinic Board, and on the Oconee Medical Center Foundation Board. He was a loving husband, devoted father and a doting grandfather.

**ADJOURNMENT**

 At 12:35 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

**Recorded Vote**

 Senator BRIGHT desired to be recorded as voting against the motion to adjourn.

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