**Thursday, February 27, 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:

To his people Moses declares:

“...I command you today to love the Lord your God, to walk in his ways, and to keep his commands, decrees, and laws; then you will live and increase, and the Lord your God will bless you...”

(Deuteronomy 30:16)

Bow with me, please:

Dear God, we read the slogan “Life is Good” which we see on T‑shirts and upon coffee mugs. And so it is: life is *very* good. Yet we humans continue to make shaky if not wrong decisions about so many matters; our very human-ness shows at every turn. That is why we pray, Lord, that you will especially guide this Body in all that it undertakes. May every Senator find herself or himself fully attuned to Your teachings, so that the decisions they make collectively will genuinely benefit all South Carolinians. Bless these leaders, bless our troops, bless this State we love. In your name we pray, Lord. Amen.

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

**Doctor of the Day**

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

**Leave of Absence**

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

**Leave of Absence**

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

**Leave of Absence**

At 1:45 P.M., Senator GREGORY requested a leave of absence for the balance of the day.

**Leave of Absence**

At 1:45 P.M., Senator O’DELL requested a leave of absence for the balance of the day.

**Leave of Absence**

At 2:00 P.M., Senator CLEARY requested a leave of absence for the balance of the day.

**Leave of Absence**

At 3:30 P.M., Senator LEATHERMAN requested a leave of absence for the balance of the day and tomorrow.

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator BRIGHT rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 1033 Sen. O’Dell

S. 813 Sen. Johnson

**RECALLED AND ADOPTED**

S. 1054 -- Senators Hayes, Peeler, Coleman and Gregory: A CONCURRENT RESOLUTION TO RECOGNIZE YORK COUNTY AS A VITAL PART OF THE PALMETTO STATE AND TO DECLARE MARCH 4, 2014, “YORK COUNTY DAY” IN SOUTH CAROLINA.

Senator BRYANT asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Invitations.

The Concurrent Resolution was recalled from the Committee on Invitations.

Senator BRYANT asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

On motion of Senator BRYANT, the Concurrent Resolution was adopted and ordered sent to the House.

**RECALLED AND ADOPTED**

S. 1048 -- Senator Hutto: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT LITERACY IS A VITAL AND FUNDAMENTAL ELEMENT OF THE WELL‑BEING OF EVERY CITIZEN OF SOUTH CAROLINA FORMING THE FOUNDATION FOR EDUCATION AND COMMUNICATION LEADING TO IMPROVED QUALITY OF LIFE AND A WELL‑PREPARED WORKFORCE THEREBY AIDING SOUTH CAROLINA IN ATTRACTING BUSINESS AND INDUSTRY AND ADVANCING THE ECONOMIC INTERESTS OF OUR BELOVED STATE, AND TO NAME THE WEEK OF MARCH 2, 2014, THROUGH MARCH 8, 2014, AS “READERS‑2‑LEADERS LITERACY AWARENESS WEEK” IN SOUTH CAROLINA.

Senator COURSON asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

Senator COURSON asked unanimous consent to take the Concurrent Resolution up for immediate consideration.

There was no objection.

On motion of Senator COURSON, the Concurrent Resolution was adopted and ordered sent to the House.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1063 -- Senator Hayes: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MAJOR GENERAL GREGORY W. BATTS ON HIS EXEMPLARY SERVICE, CONTRIBUTION TO, AND TIRELESS DEVOTION TO DUTY, COUNTRY, SOLDIERS, AND CIVILIANS THROUGH HIS SERVICE IN THE SOUTH CAROLINA ARMY NATIONAL GUARD AND THE UNITED STATES ARMY.

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The Senate Resolution was adopted.

S. 1064 -- Senator Corbin: A BILL TO AMEND SECTION 2-19-10 OF THE 1976 CODE, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, TO PROVIDE FOR THE APPOINTMENT AND QUALIFICATIONS OF ITS MEMBERS.

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Senator CORBIN spoke on the Bill.

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

S. 1065 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 43, TITLE 38 SO AS TO PROVIDE FOR THE LIMITED LICENSING OF SELF-STORAGE FACILITIES TO SELL OR OFFER INSURANCE.

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

S. 1066 -- Senator S. Martin: A BILL TO AMEND SECTION 59-1-425 OF THE 1976 CODE, RELATING TO A SCHOOL'S CALENDAR, TO PROVIDE THAT EACH LOCAL SCHOOL DISTRICT BOARD OF TRUSTEES OF THE STATE SHALL HAVE EXCLUSIVE AUTHORITY TO ESTABLISH AN ANNUAL CALENDAR FOR TEACHERS, STAFF, AND STUDENTS AND TO STRIKE LANGUAGE REGARDING A STATUTORY SCHOOL TERM AND PROVISIONS FOR MISSED SCHOOL DAYS.

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Senator SHANE MARTIN spoke on the Bill.

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

S. 1067 -- Senator Kimpson: A SENATE RESOLUTION TO CONGRATULATE DIG SOUTH'S FOUNDER AND CEO, STANFIELD GRAY, AND HIS TEAM, FOR THEIR SUCCESS IN HOSTING THE FIRST ANNUAL DIG SOUTH INTERACTIVE FESTIVAL IN 2013 AND TO WISH HIM MUCH SUCCESS IN THE UPCOMING 2014 FESTIVAL.

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The Senate Resolution was adopted.

H. 3925 -- Reps. Hardwick and Loftis: A BILL TO AMEND SECTION 48-1-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITING THE DISCHARGE OF POLLUTANTS INTO THE ENVIRONMENT AND REMEDIES FOR VIOLATIONS, SO AS TO CLARIFY PERSONS WHO MAY FILE A PETITION WITH THE DEPARTMENT DO NOT INCLUDE CERTAIN AGENCIES AND DEPARTMENTS OF THE STATE AND TO PROVIDE THAT ANY DECISION OF THE DEPARTMENT WITH RESPECT TO THE TYPE OF REVIEW OBTAINED IS NOT SUBJECT TO JUDICIAL REVIEW; TO AMEND SECTION 48-1-250, AS AMENDED, RELATING TO WHOM BENEFITS FROM CAUSES OF ACTION RESULTING FROM POLLUTION VIOLATIONS INURE, SO AS TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW NO PRIVATE CAUSE OF ACTION IS CREATED BY OR EXISTS UNDER THE POLLUTION CONTROL ACT; AND TO AMEND SECTION 6 OF ACT 198 OF 2012, RELATING TO THE SAVINGS CLAUSE, SO AS TO PROVIDE THAT THE SAVINGS CLAUSE OF ACT 198 OF 2012 APPLIES ONLY TO CASES FILED BEFORE JUNE 6, 2012, AND TO ANY FEDERAL PROJECT FOR WHICH A FINAL ENVIRONMENTAL IMPACT STATEMENT WAS ISSUED PRIOR TO JUNE 6, 2012, BUT NO RECORD OF DECISION WAS ISSUED PRIOR TO JUNE 6, 2012.

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

H. 4596 -- Reps. Goldfinch, Sottile, Hardwick, Barfield, Williams, Kennedy, Harrell, V. S. Moss, Loftis, Ryhal, Quinn, Hamilton, Bedingfield, McCoy, Hosey, Newton, Patrick, Funderburk, Limehouse, Burns, Clemmons, Hardee, Hiott, Hixon, Hodges, Horne, Owens, Pitts, Sandifer, G. R. Smith, J. E. Smith, Spires and Wells: A CONCURRENT RESOLUTION TO OPPOSE ANY ADDITIONAL LIVE BOTTOM MARINE PROTECTED AREAS OFF THE COAST OF SOUTH CAROLINA ASSOCIATED WITH THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL'S PROPOSED REGULATORY AMENDMENT 17 OR ANY FUTURE AMENDMENTS TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC REGION.

The Concurrent Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

H. 4763 -- Rep. Anthony: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF FIVE OR FEWER DAYS THAT SCHOOLS IN THE UNION COUNTY SCHOOL DISTRICT CLOSED IN 2014 DUE TO INCLEMENT WEATHER FROM WINTER STORM LEON AND WINTER STORM PAX FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

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

H. 4764 -- Reps. Crosby and Jefferson: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF DAYS MISSED ON JANUARY 29 AND 30, 2014, AND FEBRUARY 12 AND 13, 2014, BY SCHOOLS IN THE BERKELEY COUNTY SCHOOL DISTRICT CLOSED IN 2014 DUE TO INCLEMENT WEATHER FROM WINTER STORM LEON AND WINTER STORM PAX FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

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

H. 4767 -- Rep. R. L. Ott: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF FIVE OR FEWER DAYS THAT SCHOOLS IN THE CALHOUN COUNTY SCHOOL DISTRICT CLOSED IN 2014 DUE TO INCLEMENT WEATHER FROM WINTER STORM LEON AND WINTER STORM PAX FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

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

H. 4771 -- Reps. G. M. Smith and Weeks: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF SEVEN OR FEWER DAYS THAT SCHOOLS IN THE SUMTER COUNTY SCHOOL DISTRICT CLOSED IN 2014 DUE TO INCLEMENT WEATHER FROM WINTER STORM LEON AND WINTER STORM PAX FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

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

H. 4774 -- Reps. Newton, Patrick, Herbkersman, Erickson, Hayes, Bowers and Hodges: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF DAYS THAT SCHOOLS IN THE BEAUFORT SCHOOL DISTRICT CLOSED IN 2014 DUE TO INCLEMENT WEATHER FROM WINTER STORM LEON AND WINTER STORM PAX FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

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

**REPORTS OF STANDING COMMITTEES**

**Appointments Reported**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

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

Received as information.

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

4th Congressional District:

Paul H. Kennemore, 367 Meathward Circle, Moore, SC 29369 *VICE* Alan Wells

Received as information.

Senator HAYES from the Committee on Banking and Insurance submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator HAYES from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 826 -- Senator Rankin: A BILL TO AMEND SECTION 38-73-500(C) OF THE 1976 CODE, RELATING TO RANDOM DRUG AND ALCOHOL TESTING PROCEDURES CONCERNING MERIT RATING FOR WORKER’S COMPENSATION INSURANCE; TO PROVIDE THAT A SINGLE SAMPLE MAY BE USED FOR THE FIRST AND SECOND TESTS IF A SECOND TEST IS ADMINISTERED.

Ordered for consideration tomorrow.

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

S. 839 -- Senators Bryant and Bright: A BILL TO AMEND TITLE 46 OF THE 1976 CODE, RELATING TO AGRICULTURE, BY ADDING CHAPTER 55 CONCERNING INDUSTRIAL HEMP; TO PROVIDE THAT IT IS LAWFUL TO GROW INDUSTRIAL HEMP IN THIS STATE; TO CLARIFY THAT INDUSTRIAL HEMP IS EXCLUDED FROM THE DEFINITION OF MARIJUANA; TO PROHIBIT GROWING INDUSTRIAL HEMP AND MARIJUANA ON THE SAME PROPERTY OR OTHERWISE GROWING MARIJUANA IN CLOSE PROXIMITY TO INDUSTRIAL HEMP TO DISGUISE THE MARIJUANA GROWTH; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 862 -- Senators Shealy and Turner: A BILL TO AMEND SECTION 40‑59‑260 OF THE 1976 CODE, RELATING TO THE EXCEPTION FOR PROJECTS BY A PROPERTY OWNER FOR PERSONAL USE, TO PROVIDE THAT AN OWNER OF RESIDENTIAL PROPERTY WHO IMPROVES THE PROPERTY OR WHO BUILDS OR IMPROVES THE STRUCTURES OR APPURTENANCES ON THE PROPERTY AT A COST OF MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS SHALL NOT WITHIN TWO YEARS AFTER COMPLETION OR ISSUANCE OF A CERTIFICATE OFFER THE STRUCTURE FOR SALE OR RENT, AND CONSTRUCTION OR IMPROVEMENTS TO THE STRUCTURE, GROUP OF STRUCTURES, OR APPURTENANCES THAT COST THE OWNER‑BUILDER LESS THAN TWO THOUSAND FIVE HUNDRED DOLLARS ARE NOT EVIDENCE OF “SALE” OR “RENT” FOR THE PURPOSES OF THIS SECTION.

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out S. 975 favorable:

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.

**Poll of the Invitations Committee**

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

**AYES**

Bryant Alexander McGill

Reese Verdin Campsen

Cromer Malloy Cleary

Johnson Kimpson

**Total--11**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

Senator HAYES from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 1007 -- Senators Campbell and O’Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29‑3‑625 SO AS TO PROVIDE A PROCESS FOR EXPEDITING MORTGAGE FORECLOSURES AND TO DEFINE NECESSARY TERMINOLOGY.

Ordered for consideration tomorrow.

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

S. 1031 -- Senators Campsen and Reese: A BILL TO AMEND CHAPTER 39, TITLE 48 OF THE 1976 CODE, RELATING TO COASTAL TIDELANDS AND WETLANDS, TO PROVIDE THAT GOLF COURSES SEAWARD OF THE BASELINE THAT EXISTED PRIOR TO 1991 MAY BE PROTECTED WITH SANDBAGGING AND SAND SCRAPING UNDER EMERGENCY ORDERS ISSUED OR APPROVED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Ordered for consideration tomorrow.

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

S. 1032 -- Senators Campsen and Verdin: A BILL TO AMEND SECTION 48‑39‑130 OF THE 1976 CODE, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, TO INCLUDE TEMPORARY QUALIFIED WAVE DISSIPATION DEVICES AS A TECHNIQUE TO BE USED IN THE BEACH/DUNE CRITICAL AREA TO PROTECT THE PUBLIC HEALTH AND SAFETY; TO AMEND SECTION 48‑39‑270, RELATING TO TERMS PERTAINING TO COASTAL TIDELANDS AND WETLANDS, TO DEFINE QUALIFIED WAVE DISSIPATION DEVICE; AND TO AMEND SECTION 48‑39‑290, RELATING TO CONSTRUCTION RESTRICTIONS SEAWARD OF THE BASELINE, TO PROVIDE AN EXCEPTION FOR QUALIFIED WAVE DISSIPATION DEVICES.

Ordered for consideration tomorrow.

Senator HAYES from the Committee on Labor, Commerce and Industry submitted a majority favorable with amendment and Senator ALLEN a minority unfavorable report on:

H. 3149 -- Rep. Tallon: A BILL TO AMEND SECTION 40‑54‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM “PURCHASE”; TO AMEND SECTION 40‑54‑40, RELATING TO THE REQUIREMENT THAT A SELLER OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO PROVIDE THIS REQUIREMENT MAY BE SATISFIED BY CERTAIN IDENTIFICATION ISSUED BY THE STATE OR THE UNITED STATES; TO AMEND SECTION 40‑54‑50, RELATING TO A MANDATORY PERIOD FOR WHICH A DEALER IN PRECIOUS METALS MUST HOLD PRECIOUS METALS HE PURCHASES BEFORE HE MAY SELL THE PRECIOUS METALS, SO AS TO INCREASE THE MANDATORY PERIOD AND SPECIFY LOCATION FOR HOLDING THE METALS; AND TO AMEND SECTION 40‑54‑80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE.

Ordered for consideration tomorrow.

Senator BRYANT from the Committee on Invitations polled out H. 4641 favorable:

H. 4641 -- Rep. Delleney: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 13, 2014, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

**Poll of the Invitations Committee**

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

**AYES**

Bryant Alexander McGill

Reese Verdin Campsen

Cromer Malloy Cleary

Johnson Kimpson

**Total--11**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., February 27, 2014

Mr. President and Senators:

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

H. 4468 -- Reps. Hardwick, Ryhal and Clemmons: A BILL TO AMEND SECTION 7‑7‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO REDESIGNATE VARIOUS EXISTING PRECINCTS, TO ADD TWO PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 27, 2014, at 11:45 A.M. and the following Acts were ratified:

(R128, S. 689) -- Senator Bryant: AN ACT TO AMEND SECTION 7‑7‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN ANDERSON COUNTY, SO AS TO ADD THE “BELTON ANNEX” PRECINCT, THE “NORTH POINTE” PRECINCT, AND THE “GLENVIEW” PRECINCT, TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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(R129, S. 807) -- Senators Setzler, Courson, Cromer, Massey and Shealy: AN ACT TO AMEND SECTION 7‑7‑380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LEXINGTON COUNTY, SO AS TO ADD FOUR PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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(R130, S. 953) -- Senators Leatherman, Setzler, O’Dell and Alexander: AN ACT TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2013 AND TO PROVIDE THAT ANY INTERNAL REVENUE CODE SECTIONS ADOPTED BY THE STATE THAT EXPIRED ON DECEMBER 31, 2013, THAT ARE EXTENDED BY CONGRESSIONAL ENACTMENT IN 2014, ARE ALSO EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

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(R131, S. 987) -- Senators S. Martin, Bright, Reese and Corbin: AN ACT TO AMEND SECTION 7‑7‑490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAMES OF TWO PRECINCTS AND DELETE A PRECINCT AND TO REDESIGNATE THE 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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(R132, S. 1002) -- Senator Coleman: AN ACT TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE FAIRFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE BOUNDARIES OF THE SEVEN SINGLE‑MEMBER DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF FAIRFIELD COUNTY ARE ELECTED.

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(R133, H. 3623) -- Reps. Atwater and Toole: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑77‑127 SO AS TO PROVIDE THAT AN AUTOMOBILE INSURER MAY VERIFY THE COVERAGE OF AN INSURED BY ELECTRONIC FORMAT TO A MOBILE ELECTRONIC DEVICE UPON REQUEST OF THE INSURED, AND TO PROVIDE A NECESSARY DEFINITION; AND TO AMEND SECTION 56‑10‑225, RELATING TO REQUIREMENTS FOR MAINTAINING PROOF OF FINANCIAL RESPONSIBILITY IN AN AUTOMOBILE, SO AS TO PERMIT THE USE OF A MOBILE ELECTRONIC DEVICE TO SATISFY THESE REQUIREMENTS, TO PROVIDE AN INSURER IS NOT REQUIRED TO ISSUE THIS VERIFICATION IN AN ELECTRONIC FORMAT, TO PROVIDE THAT PRESENTING AN ELECTRONIC MOBILE DEVICE TO LAW ENFORCEMENT TO SATISFY PROOF OF AUTOMOBILE FINANCIAL RESPONSIBILITY DOES NOT SUBJECT INFORMATION CONTAINED OR STORED IN THE DEVICE TO SEARCH ABSENT A VALID SEARCH WARRANT OR CONSENT OF THE LAWFUL OWNER OF THE DEVICE.

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(R134, H. 3847) -- Reps. Hiott and Hardwick: AN ACT TO AMEND SECTION 48‑60‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR TERMS USED IN THE SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT OF 2010, SO AS TO ADD, AMONG OTHER DEFINITIONS, TERMS RELATED TO COMPUTER MONITORS; TO AMEND SECTION 48‑60‑30, RELATING TO REQUIREMENTS OF CERTAIN MANUFACTURERS TO PROVIDE LABELS ON DEVICES INDICATING THE BRAND, SO AS TO REQUIRE COMPUTER MONITOR MANUFACTURERS TO DO SO; TO AMEND SECTION 48‑60‑50, RELATING TO THE REQUIREMENT FOR TELEVISION MANUFACTURERS TO PROVIDE A RECOVERY PROGRAM FOR RECYCLING TELEVISIONS, SO AS TO REQUIRE COMPUTER MONITOR MANUFACTURERS TO DO SO; BY ADDING SECTION 48‑60‑55 SO AS TO PROVIDE FOR THE CREATION AND OPERATION OF STATEWIDE CONSUMER ELECTRONIC DEVICE STEWARDSHIP PROGRAMS AND THE DEVELOPMENT AND IMPLEMENTATION OF RELATED RECOVERY PLANS, INCLUDING REQUIREMENTS FOR APPROVAL OF PLANS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO ESTABLISH OTHER RESPONSIBILITIES AND AUTHORITY OF THE DEPARTMENT AND REQUIREMENTS OF REGULATED MANUFACTURERS; TO AMEND SECTION 48‑60‑60, RELATING TO PROTECTION FROM LIABILITY FOR CERTAIN DAMAGES, SO AS TO APPLY TO COMPUTER MONITOR MANUFACTURERS; TO AMEND SECTION 48‑60‑70, RELATING TO RETAILER SALE REQUIREMENTS, SO AS TO PROHIBIT RETAILERS FROM SELLING DEVICES MADE BY MANUFACTURERS WHO DO NOT COMPLY WITH THE REQUIREMENTS OF SECTION 48‑60‑55; TO AMEND SECTION 48‑60‑90, RELATING TO DISCARDING OR PLACING COVERED DEVICES IN A WASTE STREAM, SO AS TO PROHIBIT COMPONENTS OF COVERED DEVICES; TO AMEND SECTION 48‑60‑100, RELATING TO RECOVERY PROCESS FEES, SO AS TO LIMIT THE ABILITY OF LOCAL GOVERNMENTS TO CHARGE CERTAIN FEES; TO AMEND SECTION 48‑60‑140, RELATING TO REQUIREMENTS THAT RECOVERY PROCESSES COMPLY WITH STATE AND FEDERAL LAW, SO AS TO REQUIRE RECYCLING OR REUSE FACILITIES TO MAINTAIN CERTIFICATION, TO IDENTIFY APPROVED CERTIFICATION PROGRAMS, AND TO REQUIRE MANUFACTURERS AND GOVERNMENTS ONLY TO USE FACILITIES THAT HAVE APPROPRIATE CERTIFICATION; TO AMEND SECTION 48‑60‑150, RELATING TO THE DEPARTMENT’S PROMULGATION OF REGULATIONS, SO AS TO ELIMINATE THE RIGHT TO CHARGE CERTAIN FEES TO MANUFACTURERS; BY ADDING SECTION 48‑60‑160 SO AS TO PROVIDE FOR CERTAIN FEES AND PENALTIES; BY ADDING SECTION 48‑60‑170 SO AS TO SET FORTH THE PURPOSES OF THE CHAPTER AND CERTAIN LIMITATIONS ON LIABILITY, TO PROVIDE EXPIRATION DATES FOR REGULATIONS PROMULGATED PURSUANT TO THIS CHAPTER, AND TO MAKE TECHNICAL CORRECTIONS; TO REPEAL SECTION 48‑60‑50, RELATING TO THE REQUIREMENT OF TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO PROVIDE A RECYCLING PROGRAM, AFTER DECEMBER 31, 2014, AND TO REPEAL CHAPTER 60, TITLE 48 AFTER DECEMBER 31, 2021, EXCEPT FOR SECTION 48-60-90 THEREOF, RELATING TO PROHIBITIONS AND REQUIREMENTS FOR THE DISPOSAL OF COVERED DEVICES APPLICABLE TO THE PUBLIC AND LANDFILL OWNERS AND OPERATORS.

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(R135, H. 4475) -- Reps. J.R. Smith, Clyburn, Hixon and Taylor: AN ACT TO AMEND SECTION 7‑7‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO REDESIGNATE VARIOUS EXISTING PRECINCTS, TO ADD THREE PRECINCTS, AND TO REDESIGNATE THE 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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(R136, H. 4497) -- Reps. Erickson, Bowers, Herbkersman, Hodges, Newton and Patrick: AN ACT TO AMEND SECTION 7‑7‑110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REDESIGNATE FIVE EXISTING PRECINCTS, ADD NINE PRECINCTS AND DELETE THREE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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(R137, H. 4521) -- Reps. Newton, Herbkersman and Bowers: AN ACT 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.

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**HOUSE CONCURRENCES**

The following Concurrent Resolutions were returned from the House with concurrence and received as information:

S. 681 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 701 FROM ITS INTERSECTION WITH THE LIMITS OF THE CITY OF CONWAY TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 22 “W. D. ‘BILLY’ WITHERSPOON HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “W. D. ‘BILLY’ WITHERSPOON HIGHWAY”.

S. 934 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE HIGHWAY INTERCHANGE LOCATED AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 277 AND PARKLANE ROAD IN RICHLAND COUNTY “BERNICE SKINNER INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS HIGHWAY INTERCHANGE THAT CONTAIN THE WORDS “BERNICE SKINNER INTERCHANGE”.

S. 966 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF BLUFF ROAD FROM THE INTERSECTION OF BLUFF ROAD AND LIBERTY STREET TO THE INTERSECTION OF BLUFF ROAD AND PENDERBORO ROAD IN MARION COUNTY THE “CHIEF WILLIE LEE SMITH HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “CHIEF WILLIE LEE SMITH HIGHWAY”.

S. 1003 -- Senator Lourie: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE SIGNS AT EXIT 27 ALONG INTERSTATE HIGHWAY 77 IN RICHLAND COUNTY THAT CONTAIN THE WORDS “BLYTHEWOOD HOME OF THE UNIVERSITY OF SOUTH CAROLINA EQUESTRIAN TEAM”.

S. 1018 -- Senators Hutto, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE HIGHWAY 26 IN ORANGEBURG COUNTY BETWEEN EXIT 145 AND 154 “KAREN J. WILLIAMS MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “KAREN J. WILLIAMS MEMORIAL HIGHWAY, FIRST FEMALE JUDGE AND CHIEF JUDGE OF THE UNITED STATES 4TH CIRCUIT COURT OF APPEALS”.

S. 1062 -- Senators McElveen, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT LITERACY IS A VITAL AND FUNDAMENTAL ELEMENT OF THE WELL‑BEING OF EVERY CITIZEN OF SOUTH CAROLINA FORMING THE FOUNDATION FOR EDUCATION AND COMMUNICATION LEADING TO IMPROVED QUALITY OF LIFE AND A WELL‑PREPARED WORKFORCE THEREBY AIDING SOUTH CAROLINA IN ATTRACTING BUSINESS AND INDUSTRY AND ADVANCING THE ECONOMIC INTERESTS OF OUR BELOVED STATE, AND TO NAME THE WEEK OF MARCH 2, 2014, THROUGH MARCH 8, 2014, AS “READERS‑2‑LEADERS LITERACY AWARENESS WEEK” IN SOUTH CAROLINA.

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

**MINORITY REPORT REMOVED**

H. 3410 -- Reps. Forrester, Allison, Loftis, V.S. Moss, Cole, Tallon, Mitchell, Cobb‑Hunter and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 1, TITLE 13 SO AS TO TRANSFER THE REGIONAL EDUCATION CENTERS ESTABLISHED BY THE EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL TO THE DEPARTMENT OF COMMERCE; TO AMEND SECTION 59‑59‑170, RELATING TO THE EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL, AND SECTION 59‑59‑190, RELATING TO ASSISTANCE OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, THE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, AND THE COMMISSION ON HIGHER EDUCATION SHALL PROVIDE THE DEPARTMENT OF EDUCATION WITH RESPECT TO CERTAIN PROGRAMS UNDER THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 59‑59‑180 RELATING TO REGIONAL EDUCATION CENTERS.

Senator BRIGHT asked unanimous consent to remove the minority report on the Bill.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

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

H. 4647 -- Reps. Pitts, Willis and Anthony: A BILL TO AMEND SECTION 7‑7‑360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS AND TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LAURENS COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

**HOUSE BILLS RETURNED**

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

H. 3089 -- Reps. Pope, Tallon, Hixon, Wells, McCoy and Daning: A BILL TO AMEND SECTION 12‑6‑1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS ALLOWED FROM SOUTH CAROLINA TAXABLE INCOME OF AN INDIVIDUAL FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW A MAXIMUM THREE THOUSAND DOLLAR A YEAR DEDUCTION FOR VOLUNTEER STATE CONSTABLES DESIGNATED BY THE STATE LAW ENFORCEMENT DIVISION AS STATE CONSTABLES AND TO PROVIDE THE ELIGIBILITY REQUIREMENTS FOR THIS DEDUCTION.

H. 3563 -- Reps. Delleney, J.E. Smith and Lucas: A BILL TO AMEND CHAPTER 20, TITLE 39, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF‑SERVICE STORAGE FACILITIES, SO AS TO DEFINE “ELECTRONIC MAIL”, TO PROVIDE THAT WHEN RENT IS SEVEN OR MORE CALENDAR DAYS PAST DUE THE OWNER MAY DENY THE OCCUPANT ACCESS TO THE PERSONAL PROPERTY AND THE OCCUPANT IS CONSIDERED IN DEFAULT, TO PROVIDE THAT WHEN RENT IS FOURTEEN OR MORE DAYS PAST DUE THE OCCUPANT MUST BE NOTIFIED, AND TO PROVIDE THE PROCESS BY WHICH A DEFAULTING OCCUPANT’S PERSONAL PROPERTY MAY BE DESTROYED OR SOLD.

**READ THE THIRD TIME, RETURNED TO THE HOUSE**

H. 4576 -- Reps. Anderson, Harrell, Hosey, Hardwick, Spires, Gilliard, King, Parks, Williams, Anthony, Clyburn, Gambrell, Jefferson, Bowen, Brannon, R.L. Brown, George, Hayes, Hixon, Lowe, Mack, W.J. McLeod, D.C. Moss, Munnerlyn, Norman, Putnam, Robinson‑Simpson, Tallon and Thayer: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNING BODY OF A SCHOOL DISTRICT MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR UP TO FIVE FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND A SCHOOL, CHARTER SCHOOL, OR APPROVED HOME SCHOOL PROGRAM IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013‑2014 SCHOOL YEAR.

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

**Motion Under Rule 26B**

Senator SHANE MARTIN moved to take up further amendments pursuant to the provisions of Rule 26B.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Johnson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Young

**Total--41**

**NAYS**

**Total--0**

The Senate agreed to consideration of the amendment.

Senator SHANE MARTIN proposed the following amendment (4576R003.SRM), which was laid on the table:

Amend the joint resolution, as and if amended, by striking lines 31-32 and inserting:

/ district may not waive this requirement until it has exhausted at least two make up days remaining on the 2013-2014 /

Renumber sections to conform.

Amend title to conform.

Senator SHANE MARTIN explained the amendment.

Senator HUTTO spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

The question then was third reading of the Joint Resolution.

There being no further amendments, the Joint Resolution was read the third time and ordered returned to the House of Representatives.

**THIRD READING BILLS**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 748 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 30, TITLE 44 SO AS TO BE ENTITLED “IMMUNITY FROM LIABILITY FOR PROVIDING FREE HEALTH CARE SERVICES”, AND TO PROVIDE THAT THE SERVICES OF A HEALTH CARE PROVIDER TREATING A PATIENT FREE OF CHARGE ARE DEEMED TO BE WITHIN THE SCOPE OF THE GOOD SAMARITAN STATUTE; TO REENTITLE CHAPTER 30, TITLE 44 AS “HEALTH CARE PROFESSIONALS”; AND TO DESIGNATE SECTIONS 44‑30‑10 THROUGH 44‑30‑90 AS ARTICLE 1, CHAPTER 30, TITLE 44, ENTITLED “HEALTH CARE PROFESSIONAL COMPLIANCE ACT”.

S. 764 -- Senators Alexander, Cromer and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2, CHAPTER 35, TITLE 43 SO AS TO CREATE THE VULNERABLE ADULT GUARDIAN AD LITEM PROGRAM WITHIN THE OFFICE ON AGING TO RECRUIT, TRAIN, AND SUPERVISE VOLUNTEERS TO SERVE AS COURT APPOINTED GUARDIANS AD LITEM FOR VULNERABLE ADULTS IN ABUSE, NEGLECT, AND EXPLOITATION PROCEEDINGS; TO PROVIDE THE DUTIES AND RESPONSIBILITIES OF A GUARDIAN AD LITEM; TO PROVIDE THAT A GUARDIAN AD LITEM MAY BE A LAYPERSON OR AN ATTORNEY; TO PROVIDE QUALIFICATIONS TO BECOME A GUARDIAN AD LITEM; TO AUTHORIZE THE VULNERABLE ADULT GUARDIAN AD LITEM PROGRAM TO INTERVENE IN PROCEEDINGS TO PETITION FOR REMOVAL OF A GUARDIAN AD LITEM UNDER CERTAIN CONDITIONS; TO PROVIDE THAT CERTAIN INFORMATION, REPORTS, AND RECORDS MUST BE MADE AVAILABLE TO GUARDIANS AD LITEM BY CERTAIN STATE AND FEDERAL AGENCIES, MEDICAL AND DENTAL PRACTITIONERS, AND FINANCIAL INSTITUTIONS; TO PROVIDE THAT REPORTS AND INFORMATION COLLECTED AND MAINTAINED BY THE PROGRAM ARE CONFIDENTIAL AND TO PROVIDE FOR CIVIL IMMUNITY WHEN ACTING IN GOOD FAITH AND IN THE ABSENCE OF GROSS NEGLIGENCE; AND TO AMEND SECTION 43‑35‑45, RELATING, AMONG OTHER THINGS, TO THE APPOINTMENT OF AN ATTORNEY AND A GUARDIAN AD LITEM FOR A VULNERABLE ADULT IN A PROCEEDING, SO AS TO FURTHER PROVIDE THAT THE COURT SHALL APPOINT AN ATTORNEY FOR A LAY GUARDIAN AD LITEM AND THAT THE GUARDIAN AD LITEM MAY BE REMOVED IF THE VULNERABLE ADULT HAS THE CAPACITY TO ASSIST IN THE CASE.

S. 440 -- Senators Fair, Hutto and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑19‑1435 SO AS TO PROVIDE THAT THE USE OF RESTRAINTS ON JUVENILES APPEARING IN COURT ARE PROHIBITED UNLESS THE RESTRAINTS ARE NECESSARY TO PREVENT HARM OR IF THE JUVENILE IS A FLIGHT RISK AND THERE ARE NO LESS RESTRICTIVE ALTERNATIVES AVAILABLE; TO GIVE A JUVENILE’S ATTORNEY THE RIGHT TO BE HEARD BEFORE THE COURT ORDERS THE USE OF RESTRAINTS; AND IF RESTRAINTS ARE ORDERED, TO REQUIRE THE COURT TO MAKE FINDINGS OF FACT IN SUPPORT OF THE ORDER.

S. 957 -- Senator Bennett: A BILL TO AMEND SECTION 7‑7‑230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DORCHESTER COUNTY, SO AS TO REDESIGNATE AN EXISTING PRECINCT, TO ADD NINE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

**READ THE SECOND TIME**

S. 983 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑617 SO AS TO DESIGNATE MARCH OF EACH YEAR AS “ENDOMETRIOSIS AWARENESS MONTH”.

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 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Johnson Kimpson

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Young

**Total--42**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 995 -- Senator Hayes: A BILL TO AMEND SECTION 7‑7‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS AND TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF YORK COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Johnson Kimpson

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Young

**Total--42**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 611 -- Senator Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑31‑60, SO AS TO REQUIRE THAT THE COMMISSION FOR MINORITY AFFAIRS ELIMINATE ELIGIBILITY FOR A NATIVE AMERICAN INDIAN GROUP TO RECEIVE OFFICIAL RECOGNIZED STATUS IN THIS STATE, TO REPEAL ANY REGULATIONS PROVIDING FOR RECOGNITION AS A NATIVE AMERICAN INDIAN GROUP, AND TO REQUIRE THAT THE COMMISSION FOR MINORITY AFFAIRS REVISE ANY OF ITS REGULATIONS TO DELETE ANY REFERENCES OR ELIMINATE ANY PROCEDURES FOR RECOGNIZING A NATIVE AMERICAN INDIAN GROUP.

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

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

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

H. 3410 -- Reps. Forrester, Allison, Loftis, V.S. Moss, Cole, Tallon, Mitchell, Cobb‑Hunter and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 1, TITLE 13 SO AS TO TRANSFER THE REGIONAL EDUCATION CENTERS ESTABLISHED BY THE EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL TO THE DEPARTMENT OF COMMERCE; TO AMEND SECTION 59‑59‑170, RELATING TO THE EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL, AND SECTION 59‑59‑190, RELATING TO ASSISTANCE OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, THE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, AND THE COMMISSION ON HIGHER EDUCATION SHALL PROVIDE THE DEPARTMENT OF EDUCATION WITH RESPECT TO CERTAIN PROGRAMS UNDER THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 59‑59‑180 RELATING TO REGIONAL EDUCATION CENTERS.

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

S. 275 -- Senators L. Martin and Hembree: A BILL TO AMEND SECTION 23‑1‑210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEMPORARY TRANSFER OR ASSIGNMENT OF A MUNICIPAL OR COUNTY LAW ENFORCEMENT OFFICER TO A MULTIJURISDICTIONAL TASK FORCE, SO AS TO MAKE A TECHNICAL CHANGE, DELETE THE PROVISION THAT REQUIRES A COUNTY OR MUNICIPALITY THAT SENDS AN OFFICER TO ANOTHER COUNTY OR MUNICIPALITY TO BE REIMBURSED FOR SERVICES BY THE COUNTY OR MUNICIPALITY TO WHICH THE OFFICER IS TRANSFERRED OR ASSIGNED, AND TO PROVIDE THAT THE GOVERNING BODIES OF THE POLITICAL SUBDIVISIONS AFFECTED BY THIS PROVISION MUST BE NOTIFIED BY THEIR LAW ENFORCEMENT DIVISIONS OF ANY MULTIJURISDICTIONAL TASK FORCE AGREEMENT EXECUTION AND TERMINATION.

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

S. 828 -- Senators Fair and Turner: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑41‑75 SO AS TO EXEMPT CERTAIN BOND REIMBURSEMENT REQUIREMENTS IF A CONVENTION AND TRADE SHOW CENTER IS SOLD AND IS TO BE REPLACED WITH A NEW CONVENTION AND TRADE SHOW CENTER, AND TO SET FORTH EXEMPTION REQUIREMENTS; AND TO AMEND SECTION 11‑41‑70, AS AMENDED, RELATING TO REQUIREMENTS FOR ECONOMIC DEVELOPMENT BONDS, SO AS TO MAKE A CONFORMING CHANGE.

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**CARRIED OVER**

S. 266 -- Senators Gregory, Hayes, Davis, Sheheen, Lourie, Hembree, Fair and Bennett: A JOINT RESOLUTION TO PROVIDE THAT UNTIL JUNE 30, 2016, THE COMMISSION ON HIGHER EDUCATION AND THE PRESIDENTS OF PUBLIC COLLEGES AND UNIVERSITIES SHALL SUPPORT THE EFFORTS OF THE GENERAL ASSEMBLY TO ESTABLISH ACCOUNTABILITY‑BASED FUNDING FOR PUBLIC COLLEGES AND UNIVERSITIES.

The Senate proceeded to a consideration of the Joint Resolution, the question being the adoption of the committee amendment.

Senators SETZLER and GREGORY proposed the following amendment (AGM\266C002.AGM.AB14), which was adopted:

Amend the committee report, as and if amended, by deleting SECTION 2 in its entirety and inserting:

/ SECTION 2. The General Assembly intends to evaluate its method of annual appropriations to senior public colleges and universities and directs the Commission on Higher Education, in collaboration with the presidents of these institutions, to make recommendations to the General Assembly on a funding method that contains the following major features:

(1) organization of the senior public colleges and universities of this State and the selection of peer institutions and benchmarks for performance, based upon the Carnegie Classification of Institutions of Higher Education;

(2) evaluation criteria organized into categories that include, but are not limited to:

(a) completion;

(b) affordability and access;

(c) educational quality;

(d) economic development and institutional mission; and

(e) other categories as may be necessary;

(3) a five year transition to a new funding model that may preserve certain elements of the existing process in a streamlined and improved form; and

(4) a financial and regulatory incentive structure that promotes the objectives identified in this joint resolution by rewarding institutions for achieving their missions and state goals. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator SETZLER proposed the following amendment (AGM\266C001.AGM.AB14), which was adopted:

Amend the joint resolution, as and if amended, by deleting SECTION 2 in its entirety and inserting:

/ SECTION 2. The General Assembly intends to evaluate its method of annual appropriations to senior public colleges and universities and directs the Commission on Higher Education, in collaboration with the presidents of these institutions, to make recommendations to the General Assembly on a funding method that contains the following major features:

(1) organization of the senior public colleges and universities of this State and the selection of peer institutions and benchmarks, based upon the Carnegie Classification of Institutions of Higher Education;

(2) evaluation criteria organized into categories that include, but are not limited to:

(a) completion;

(b) affordability and access;

(c) educational quality;

(d) economic development and institutional mission; and

(e) other categories as may be necessary;

(3) a five year transition to a new funding model that may preserve certain elements of the existing process in a streamlined and improved form; and

(4) a financial and regulatory incentive structure that promotes the objectives identified in this joint resolution by rewarding institutions for achieving their missions and state goals. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The committee amendment was adopted.

On motion of Senator MATTHEWS, the Joint Resolution was carried over, as amended.

**AMENDED, CARRIED OVER**

S. 940 -- Senators Young, Massey, Setzler and Peeler: A BILL TO AMEND SECTION 4‑10‑470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO ALLOW A COUNTY THAT DOES NOT COLLECT A CERTAIN AMOUNT IN ACCOMMODATIONS TAX TO IMPOSE THE SALES TAX SO LONG AS NO PORTION OF THE COUNTY AREA IS SUBJECT TO MORE THAN TWO PERCENT TOTAL SALES TAX.

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

Senator BRYANT asked unanimous consent to carry over the previously proposed amendment.

There was no objection.

Senator YOUNG proposed the following amendment (BH\940C008.BH.DG14), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 4-10-470, by adding an appropriately lettered subsection at the end to read:

/ ( ) Notwithstanding any other provision of this article, if the Education Capital Improvements Sales and Use Tax is imposed pursuant to subsection (B), then, stated in calendar years, the tax may not be imposed for more than eight years. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED, CARRIED OVER**

H. 3978 -- Reps. White and G.M. Smith: A BILL TO AMEND ARTICLE 2, CHAPTER 7, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAID NURSING HOME PERMITS, TO DEFINE “MEDICAID PERMIT DAY”, TO SPECIFY THE MANNER IN WHICH ADDITIONAL MEDICAID PERMIT DAYS ARE ALLOCATED, TO SET FORTH COMPLIANCE STANDARDS AND PENALTIES FOR VIOLATIONS, AND TO PROVIDE CERTAIN REPORTING REQUIREMENTS.

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

The Committee on Medical Affairs proposed the following amendment (H-3978), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 33-43 and on page 5 by striking lines 1-19 and inserting:

/ (B) ~~Each Medicaid patient day above or below the allowable range is considered a separate violation. Fines for nursing homes out of compliance with their Medicaid Nursing Home Permit for years before July 1, 1995 are waived.~~ ~~After June 30, 1995, a nursing home that exceeds by more than ten percent the number of~~ A nursing home which exceeds its Medicaid patient days stated in its permit ~~must~~ may be fined ~~based~~ on the number of Medicaid patient days exceeding the permit days ~~times their~~ multiplied by its daily Medicaid per diem ~~times thirty percent~~. ~~A nursing home that fails to provide at least ten percent fewer days than the number stated in its~~ Medicaid permit days provided to Complex Care residents, as certified by the Department of Health and Human Services, must not be counted against the facility's Medicaid permit ~~must be fined based on the number of~~ for the first six months of their care. Any complex care provided after six months must be counted toward the facility's Medicaid patient days under the permit days times their daily Medicaid per diem rate less the statewide average patient per diem recurring income times thirty percent. Complex Care reimbursement must not be used in the fine calculation. A facility may be fined incrementally for exceeding its Medicaid permit. Violations above five and up to ten percent of the stated permit may be fined at thirty percent of its Medicaid per diem rate less the statewide average patient per diem recurring income times the number of excess Medicaid permit days. A facility may be fined fifty percent of its Medicaid per diem rate less the statewide average patient per diem recurring income for each day above ten and up to fifteen percent of its Medicaid permit. A facility may be fined seventy percent of its Medicaid per diem rate less the statewide average patient per diem recurring income for each day in excess of fifteen percent of its stated Medicaid permit. A facility may appeal to the department any fine for days over its permit based on the facility's inability to discharge a resident based on the requirements of Section 44-7-88 if the facility can prove: /

Amend the bill further, page 6, by striking lines 3-7 and inserting:

/ (D) Effective July 1, 2014, all nursing facility providers holding a Medicaid permit must report their daily Medicaid resident census information to the South Carolina Department of Health and Human Services or its contractor for the purpose of maintaining a statewide bed locator and permit day tracking system. /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the committee amendment.

The committee amendment was adopted.

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

**Point of Order**

S. 459 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑55, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO HOLDS A BEGINNER’S PERMIT OR A RESTRICTED DRIVER’S LICENSE TO DRIVE A MOTOR VEHICLE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE; AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO DRIVE A MOTOR VEHICLE THROUGH A SCHOOL ZONE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE WHEN THE SCHOOL ZONE’S WARNING LIGHTS HAVE BEEN ACTIVATED.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 687 -- Senator L. Martin: A BILL TO AMEND CHAPTER 15, TITLE 63, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO CHILD CUSTODY AND VISITATION, TO ENACT THE "SOUTH CAROLINA BLIND PERSON’S RIGHT TO PARENT ACT”, BY ADDING ARTICLE 4 TO THE CHAPTER SO AS TO PROVIDE THAT A COURT MAY NOT MAKE A DECISION ON GUARDIANSHIP, CUSTODY, OR VISITATION BASED UPON A SOLE CONSIDERATION OF THE BLINDNESS OF A CHILD’S PARENT OR GUARDIAN, AND THAT DECISIONS CONCERNING ADOPTIONS MAY NOT BE BASED UPON THE SOLE CONSIDERATION THAT THE PERSON SEEKING TO ADOPT A CHILD IS BLIND.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 872 -- Senators Fair, Hutto, Jackson and L. Martin: A BILL TO AMEND SECTION 63‑1‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO ESTABLISH IT AS A PERMANENT JOINT COMMITTEE AND TO DELETE OBSOLETE PROVISIONS.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 908 -- Senator Hayes: A BILL TO AMEND SECTION 38‑9‑310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING RISK‑BASED CAPITAL, SO AS TO REVISE EXISTING DEFINITIONS AND DEFINE ADDITIONAL TERMS; TO AMEND SECTION 38‑9‑320, RELATING TO PREPARING AND SUBMITTING A RISK‑BASED CAPITAL REPORT, SO AS TO PROVIDE FOR DETERMINING A HEALTH ORGANIZATION’S RISK‑BASED CAPITAL REPORT AND TO PROVIDE THAT EACH RISK FOR A LIFE AND HEALTH INSURER, PROPERTY AND CASUALTY INSURER, AND A HEALTH ORGANIZATION MUST BE DETERMINED IN A CERTAIN MANNER; TO AMEND SECTION 38‑9‑330, AS AMENDED, RELATING TO COMPANY ACTION LEVEL EVENTS, SO AS TO ADD AN ADDITIONAL EVENT CONCERNING A HEALTH ORGANIZATION, AMONG OTHER THINGS; TO AMEND SECTION 38‑9‑360, RELATING TO THE ROLE OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE WHEN A MANDATORY CONTROL LEVEL EVENT OCCURS, SO AS TO ADD PROVISIONS CONCERNING HEALTH ORGANIZATIONS; TO AMEND SECTION 38‑9‑370, RELATING TO HEARINGS AVAILABLE TO A LICENSEE TO CHALLENGE A DETERMINATION OR ACTION BY THE DIRECTOR IN RESPONSE TO A MANDATORY CONTROL LEVEL EVENT, SO AS TO PROVIDE A LICENSEE MAY HAVE THE HEARING CONFIDENTIALLY, ON THE RECORD, AND BEFORE THE DIRECTOR UPON PROVISION OF CERTAIN NOTICE, AND TO PROVIDE THE DIRECTOR SHALL SET A DATE FOR THE HEARING IN A CERTAIN MANNER; TO AMEND SECTION 38‑9‑380, RELATING TO THE CONFIDENTIALITY OF RISK‑BASED CAPITAL REPORTS AND ADJUSTED RISK‑BASED CAPITAL REPORTS, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH THE DIRECTOR MAY SHARE, RECEIVE, AND USE CERTAIN RELATED INFORMATION THAT IS CONFIDENTIAL AND PRIVILEGED; TO AMEND SECTION 38‑9‑430, RELATING TO EXEMPTIONS FROM REPORTING REQUIREMENTS, SO AS TO ADD PROVISIONS CONCERNING DOMESTIC HEALTH ORGANIZATIONS; AND TO AMEND SECTION 38‑9‑340, SECTION 38‑9‑350, SECTION 38‑9‑365, SECTION 38‑9‑390, SECTION 38‑9‑400, SECTION 38‑9‑440, AND SECTION 38‑9‑460, ALL RELATING TO CAPITAL, SURPLUS, RESERVES, AND OTHER FINANCIAL MATTERS, SO AS TO MAKE CONFORMING CHANGES.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 986 -- Senator Campsen: A BILL TO AMEND SECTION 50‑1‑90 OF THE 1976 CODE, RELATING TO HUNTING, FISHING, OR TRAPPING WITHOUT CONSENT ON THE LAND OF OTHERS, TO INCREASE THE PENALTIES FOR THESE OFFENSES.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

S. 1000 -- Senators Peeler and Reese: A JOINT RESOLUTION TO PROVIDE THAT IN 2015 AND 2016, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN THE MANUFACTURER’S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SEVEN HUNDRED FIFTY‑FOUR DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

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

The PRESIDENT sustained the Point of Order.

**Point of Order**

H. 3561 -- Reps. White, Stavrinakis and Merrill: A BILL TO AMEND SECTION 12‑36‑920, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX ON ACCOMMODATIONS, SO AS TO DELETE CERTAIN ITEMS SUBJECT TO THE FIVE PERCENT TAX ON ADDITIONAL SURCHARGES.

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

The PRESIDENT sustained the Point of Order.

**ADOPTED**

H. 4559 -- Reps. McCoy, Merrill, Erickson, Stavrinakis, Daning, Crosby, Rivers, Patrick, Sottile, Whipper, Newton, Gilliard, Mack, Murphy, Limehouse, R.L. Brown, Harrell and Horne: A CONCURRENT RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO ENACT SENATE BILL S.1846, THE HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2013, IN ORDER TO DELAY FLOOD INSURANCE RATE INCREASES CAUSED BY THE BIGGERT‑WATERS FLOOD INSURANCE REFORM ACT OF 2012, AND TO REQUIRE THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO STUDY THE AFFORDABILITY OF THAT ACT ON PROPERTY OWNERS AND TO IMPLEMENT AN ACCURATE FLOOD MAPPING APPROACH BEFORE RAISING FLOOD INSURANCE RATES; AND TO UNDERTAKE EFFORTS TO DEVELOP A LONG‑TERM SOLUTION TO ENSURING AN AFFORDABLE, ACCESSIBLE, AND SUSTAINABLE FLOOD INSURANCE PROGRAM.

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

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

**Ayes 34; Nays 7**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Hayes

Hembree Hutto Johnson

Kimpson Malloy *Martin, Larry*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Young

**Total--34**

**NAYS**

Bright Bryant Corbin

Davis Grooms *Martin, Shane*

Verdin

**Total--7**

The Senate agreed to dispense the balance of the motion period.

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

**HOUSE AMENDMENTS AMENDED**

**RETURNED TO THE HOUSE**

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

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator LARRY MARTIN explained the House amendments.

The Committee on Judiciary proposed the following amendment (JUD0405.003), which was adopted:

Amend the bill, as and if amended, by striking SECTIONS 2-3, page 2, lines 7-33, in their entirety.

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

The question then was the adoption of the amendment.

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

**Ayes 37; Nays 5**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Johnson Kimpson Malloy

*Martin, Larry* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Young

**Total--37**

**NAYS**

Bright Bryant Corbin

Davis *Martin, Shane*

**Total--5**

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

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

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

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 third reading of the Bill.

Senator LARRY MARTIN asked unanimous consent to take up Amendment No. P1-72.

**Amendment No. P1-72**

Senator HUTTO proposed the following amendment (AGM\3945C023.AGM.AB14), which was adopted:

Amend the amendment bearing document number JUD3945.118, as and if amended, page 16, by striking lines 4‑10 and inserting:

/ “(A) ~~No~~ A person may not offer or pay to a public official, public member, or public employee and ~~no~~ a public official, public member, or public employee may not solicit or receive money in addition to that received by the public official, public member, or public employee in his official capacity for advice or assistance given in the course of his employment as a public official, public member, or public employee.

(B) A person who violates this section is guilty of a:

(1) misdemeanor, if the amount offered, paid, solicited, or received is ten thousand dollars or less, and upon conviction, the person must be fined not more than five thousand dollars or imprisoned for not more than one year, or both;

(2) felony, if the amount offered, paid, solicited, or received is more than ten thousand dollars, and upon conviction, the person must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.” /

Amend the bill further, page 16, by striking lines 15‑20 and inserting:

/ “(A)(1) A public official, public member, or public employee may not use or disclose confidential information gained in the course of or by reason of his official responsibilities in a way that would affect an economic interest held by him, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated.

(2) A person who violates this subsection is guilty of a:

(a) misdemeanor, if the economic interest is ten thousand dollars or less, and upon conviction, the person must be fined not more than five thousand dollars or imprisoned for not more than one year, or both;

(b) felony, if the economic interest is more than ten thousand dollars, and upon conviction, the person must be fined not more than ten thousand dollars, and upon conviction, the person must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.”

Amend the bill further, as and if amended, page 41, by inserting in line 38:

/(F) A person who violates the provisions of this section is guilty of a:

(1) misdemeanor, if the amount used or converted to personal use in violation of this section is ten thousand dollars or less, and upon conviction, the person must be fined not more than five thousand dollars or imprisoned for not more than one year, or both:

(2) felony, if the amount converted to personal use is more than ten thousand dollars, and upon conviction, the person must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator HUTTO moved that the amendment be adopted.

The amendment was adopted.

**Amendment No. 72**

Senator LARRY MARTIN proposed the following amendment (JUD3945.118), which was adopted:

Amend the bill, as and if amended, page 15, by adding in line 20:

/ (G) A person who violates this section is guilty of a:

(1) misdemeanor, if the economic interest is ten thousand dollars or less, and upon conviction, the person must be fined not more than five thousand dollars or imprisoned for not more than one year, or both;

(2) felony, if the economic interest is more than ten thousand dollars, and upon conviction, the person must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both. /

Amend the bill further, as and if amended, page 16, by striking lines 4-10 and inserting:

/ “(A) ~~No~~ A person may not offer or pay to a public official, public member, or public employee and ~~no~~ a public official, public member, or public employee may not solicit or receive money in addition to that received by the public official, public member, or public employee in his official capacity for advice or assistance given in the course of his employment as a public official, public member, or public employee.

(B) A person who violates this section is guilty of a:

(1) misdemeanor, if the amount offered, paid, solicited, or received is ten thousand dollars or less, and upon conviction, the person must be fined not more than five thousand dollars or imprisoned for not more than one year, or both;

(2) felony, if the amount offered, paid, solicited, or received is more than ten thousand dollars, and upon conviction, the person must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.” /

Amend the bill further, as and if amended, page 16, by striking lines 15-20 and inserting:

/ “(A)(1) A public official, public member, or public employee may not use or disclose confidential information gained in the course of or by reason of his official responsibilities in a way that would affect an economic interest held by him, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated.

(2) A person who violates this subsection is guilty of a:

(a) misdemeanor, if the economic interest is ten thousand dollars or less, and upon conviction, the person must be fined not more than five thousand dollars or imprisoned for not more than one year, or both;

(b) felony, if the economic interest is more than ten thousand dollars, and upon conviction, the person must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.” /

Amend the bill further, as and if amended, page 41, by inserting in line 38:

/ (F) A person who violates the provisions of this section is guilty of a:

(1) misdemeanor, if the amount used or converted to personal use in violation of this section is ten thousand dollars or less, and upon conviction, the person must be fined not more than five thousand dollars or imprisoned for not more than one year, or both;

(2) felony, if the amount converted to personal use is more than ten thousand dollars, and upon conviction, the person must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.” /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

**Amendment No. P1-71**

Senator HUTTO proposed the following amendment (3945.MW.P1.71), which was withdrawn:

Amend the amendment with the document path JUD3945.117, as and if amended, by striking the amendment in its entirety and inserting the following:

/ SECTION \_\_\_. Section 8-13-710(b) of the 1976 code is amended to read:

"B (1) A member of the General Assembly, when he, an individual with whom he is associated, or a business with which he is associated represents a client for compensation as permitted by subsection (A) (2)(c) must file within his annual statement of economic interests a listing of fees earned services rendered, names of persons represented, and the nature of contacts made with the governmental entities.

(2) If a member of the General Assembly, a member of his immediate family, or a business with which he is associated receives a state, federal or other funds reimbursement or payment of any type directly, or indirectly through a public agency as a pharmacist, physician, dentist or other specific healthcare provider, he must file within his annual statement of economic interests a listing of these funds or payments and the nature of contacts made with the state governmental entity." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the perfecting amendment.

On motion of Senator HUTTO, with unanimous consent, the amendment was withdrawn.

**Amendment No. 71**

Senator LARRY MARTIN proposed the following amendment (JUD3945.117), which was tabled:

Amend the bill, as and if amended, page 16, line 32, by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_. Section 8‑13‑740(B) of the 1976 Code is amended to read:

“(B)(1) A member of the General Assembly, when he, an individual with whom he is associated, or a business with which he is associated represents a client for compensation as permitted by subsection (A)(2)(c), must file within his annual statement of economic interests a listing of fees earned, services rendered, names of persons represented, and the nature of contacts made with the governmental entities.

(2) If a member of the General Assembly, a member of his immediate family, or a business with which he is associated represents a client for compensation in a claim brought against a state governmental entity, other than in a post‑conviction relief or habeas proceeding, he must file within his annual statement of economic interests a listing of fees earned from funds paid by, or on behalf of, the state governmental entity and the nature of contacts made with the state governmental entity.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO moved to lay the amendment on the table.

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

**Ayes 31; Nays 10**

**AYES**

Allen Bennett Campbell

Campsen Cleary Coleman

Courson Cromer Fair

Hayes Hembree Hutto

Johnson Kimpson Malloy

Massey Matthews McElveen

McGill Nicholson O'Dell

Pinckney Rankin Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Young

**Total--31**

**NAYS**

Bright Bryant Corbin

Davis Gregory Grooms

*Martin, Larry Martin, Shane* Peeler

Sheheen

**Total--10**

The amendment was laid on the table.

Senators LARRY MARTIN and MALLOY asked unanimous consent to speak on the Bill.

**ACTING PRESIDENT PRESIDES**

At 2:01 P.M., Senator LARRY MARTIN assumed the Chair.

**Amendment No. P2-2A**

Senator MALLOY proposed the following amendment (2.A.P.2):

Amend the document with the file path amend\  
3945R009.SB.docx, as and if amended, by striking in its entirety and inserting the following:

// Amend the bill, as and if amended, by amending Section 8-13-1120(A), found in SECTION 24, by adding an appropriately numbered new item to read:

/ ( ) the names or description and indication of amount of all equity, fixed income, or other marketable securities owned when the security is owned in certificate form, directly with a sponsor company’s transfer agent, a self directed brokerage account, retirement account, or other account or form in which the public official or public member has full trading authority where the issuer is a publicly traded company, as defined by the Securities Exchange Act of 1934, or a privately traded company. An indication of amount shall show which of the following categories the amount or value of such item of income is within:

(i) not more than $1,000,

(ii) greater than $1,000 but not more than $2,500,

(iii) greater than $2,500 but not more than $5,000,

(iv) greater than $5,000 but not more than $15,000,

(v) greater than $15,000 but not more than $50,000,

(vi) greater than $50,000 but not more than $100,000,

(vii) greater than $100,000 but not more than $1,000,000,

(viii)greater than $1,000,000 but not more than $5,000,000, or

(ix) greater than $5,000,000. / //

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator HAYES moved to lay the amendment on the table.

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

**Ayes 32; Nays 8**

**AYES**

Alexander Allen Bennett

Campbell Campsen Coleman

Corbin Courson Cromer

Fair Hayes Hembree

Hutto Johnson Kimpson

Leatherman *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson Peeler

Rankin Reese Scott

Setzler Shealy Turner

Verdin Young

**Total--32**

**NAYS**

Bright Bryant Davis

Grooms Malloy Pinckney

Sheheen Thurmond

**Total--8**

The amendment was laid on the table.

On motion of Senator BENNETT, with unanimous consent, Amendment No. 2A was withdrawn.

**Motion Adopted**

On motion of Senator PEELER, with unanimous consent, Senators PEELER, ALEXANDER, HAYES and McGILL were granted leave to attend a committee meeting and were granted leave to vote from the balcony beginning at 2:30 P.M.

**Amendment No. 9**

Senator SHEHEEN proposed the following amendment (JUD3945.082), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION after SECTION 9 F. to read:

/ ( ). Section 8-13-320 of the 1976 Code is amended by adding an appropriately numbered new subsection to read:

“ ( ) to develop and provide educational seminars concerning the ethics laws of the State for anyone under the jurisdiction of the Ethics Commission or anyone who may come under their jurisdiction.” /

Amend the bill further, as and if amended, by adding at the end of SECTION 9. I. an appropriately numbered new subsection to Section 8‑13-530 to read:

/ (9) to develop and provide educational seminars for members of the General Assembly under their jurisdiction regarding ethics rules and laws of the State. A member of the General Assembly must attend at least one full seminar every two years.” /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

Senator SHEHEEN moved that the amendment be adopted.

The question then was the adoption of the amendment.

The amendment was adopted.

**Amendment No. 53**

Senator HUTTO proposed the following amendment (AGM\3945C016.AGM.DG14), which was ruled out of order:

Amend the bill, as and if amended, Section 8‑13‑700, as contained in Part IV, by adding an appropriately numbered subsection to read:

/ ( )(1) A state or local public official using for a political purpose and not for official business any aircraft owned or leased by this State or a political subdivision of this State, or any agency, entity, or institution of this State or political subdivision including institutions of higher learning, must reimburse the general fund of this State or the political subdivision, as appropriate, for the full cost of such use within thirty days of the aircraft’s use.

(2) A political purpose within the meaning of this subsection includes participation in events when fundraising occurs for the benefit of a political party, PAC, or candidate whether or not the using public official directly benefits.

(3) Notwithstanding the provisions of item (1), any use of publicly owned aircraft where official business is conducted in conjunction with political events on the same trip or excursion, the official must reimburse the general fund of this State or the political subdivision, as appropriate, fifty percent of the cost of such use within thirty day of the aircraft’s use.

(4) The assignment by law to a particular public official of a publicly owned vehicle for the public official’s use does not negate the provisions of this subsection.

(5) Reimbursements under this subsection may be paid from campaign funds.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

**Point of Order**

Senator CAMPSEN 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 sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 80A**

Senator BRYANT proposed the following amendment (JUD3945.128), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to PART IV to read:

/ SECTION \_\_\_. Chapter 13, Title 8 of the 1976 Code of Laws is amended by adding:

“Section 8-13-712. (A) If a public official is permitted, pursuant to the provisions of this chapter and Chapter 17 of Title 2, to appear before any governmental entity of the State, a county, municipality, or political subdivision, at the request of another and is compensated for the appearance or any service related to the appearance, the public official is deemed a lobbyist. The public official must register as a lobbyist and adhere to all provisions regarding lobbyists in this chapter and Chapter 17 of Title 2.

(B) If a public official is permitted, pursuant to the provisions of this chapter and Chapter 17 of Title 2, to appear before any governmental entity of the State, a county, municipality, or political subdivision, for any matter that could impact a business with which the public official, or a member of the public official’s immediate family, is associated, the public official must provide a written statement to the governmental entity. This statement must identify:

(1) which office the public official holds;

(2) the matter for which the public official is appearing; and

(3) the business with which the public official or a member of the public official’s immediate family, is associated.

This statement must be referenced in the governmental entity’s minutes of the meeting.

(C) For purposes of this section, a public official is an official of the State, a county, municipality, or a political subdivision, who was elected to that position, or appointed to fill a vacancy for a position that would otherwise have been an elected position.

(D) The provisions of this section do not apply to any court within the unified judicial system.” /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the amendment.

Senator HUTTO moved to carry over the amendment.

The amendment was carried over.

**PRESIDENT PRESIDES**

At 2:55 P.M., the PRESIDENT assumed the Chair.

**Amendment No. 75B**

Senator HUTTO proposed the following amendment (JUD3945.137), which was adopted:

Amend the bill, as and if amended, by striking SECTION 56 on lines 8-25 on page 46 and inserting:

/ SECTION 56. Section 8-13-365 of the 1976 Code is amended to read:

“Section 8‑13‑365. The commission shall establish a system of electronic filing for all disclosures and reports required pursuant to Chapter 13, Title 8 and Chapter 17, Title 2 except for forms and reports required pursuant to Article 9, Chapter 13, Title 8. These disclosures and reports must be filed using an Internet‑based filing system which allows for the single upload by the filer, using a commonly used electronic financial spreadsheet or database which contains the required information, the format of which as specified and ~~as~~ prescribed by the commission. The information contained in the reports and disclosure forms, with the exception of social security numbers, campaign bank account numbers, and tax ID numbers, must be publicly accessible, searchable, and transferable.”

To further amend the bill, as and if amended, by striking subsection 8-13-1308(F), beginning on line 38 on page 47, and inserting:

/ (F) Five days before an election, a candidate or committee must amend and file the previously filed pre-election certified campaign report required under subsection (D) showing contributions of more than one hundred dollars and expenditures to or by the candidate or committee to that date not previously reported and through the sixth day before the election. /

To further amend the bill, as and if amended, by striking subsection 8-13-1309(E), lines 27-39 on page 49, and inserting:

/ (E) Five days before a ballot measure election, a ballot measure committee must amend and file the previously filed pre-election certified campaign report required under subsection (C) showing contributions of more than one hundred dollars and expenditures to the committee to that date not previously reported and through the sixth day before the election.

To further amend the bill, as and if amended, by striking SECTION 85 on lines 7-9 on page 62, and inserting:

/ SECTION 85. The provisions of PART VI (Campaign Practices) and SECTIONS 82, 83 and 84 are effective upon the Governor's signature. However, the provisions in SECTION 56 requiring "reports and disclosures to be filed on a system which allows for the single upload by the filer, using a commonly used electronic financial spreadsheet or database which contains the required information" take effect on January 1, 2015. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

**Amendment No. 86**

Senator HUTTO proposed the following amendment (JUD3945.130), which was adopted:

Amend the bill, as and if amended, by striking SECTION 7 on page 10 and inserting:

/ SECTION \_\_\_\_. Chapter 17, Title 2 of the 1976 Code of Laws is amended by adding:

“Section2-17-10(22) ‘Consultant’ means (i) any person who is employed, appointed, or retained, with or without compensation, by a lobbyist or a lobbyist's principal to perform professional services in drafting legislation or in advising and rendering opinions to any member of the General Assembly, the Governor, the Lieutenant Governor, or any other statewide constitutional officer on behalf of a lobbyist or lobbyist's principal as to the construction and effect of proposed or pending legislation and strategies for a lobbyist or lobbyist's principal in its lobbying activities; and (ii) who directly contacts a member of the General Assembly regarding the performance of his services described in (i). This includes, but is not limited to, accompanying a lobbyist or lobbyist’s principal during lobbying activities or communicating on behalf of a lobbyist or lobbyist’s principal for any action contained within the definition of ‘lobbying’ as defined by Section 2-17-10(12) or ‘lobbyist’ as defined by Section 2-17-10(13). ‘Consultant’ does not include:

(a) a person registered as a lobbyist pursuant to Section 2-17-20;

(b) an individual who receives no compensation and who expresses a personal opinion on legislation, covered gubernatorial actions, or covered agency actions to any public official or public employee;

(c) a person who appears only before public sessions of committees or subcommittees of the General Assembly, public hearings of state agencies, public hearings before any public body of a quasi‑judicial nature, or proceedings of any court of this State;

(d) any duly elected or appointed official or employee of the State, the United States, a county, municipality, school district, or a political subdivision thereof, or a member of the judiciary when appearing solely on matters pertaining to his office and public duties;

(e) a person who provides written information in response to a written request from any member of the General Assembly, the Governor, the Lieutenant Governor, or any other statewide constitutional officer or from their respective public employees acting within the scope of employment, for technical advice or factual information regarding legislation;

(f) a person who owns, publishes, or is employed by a radio station, television station, wire service, or other bona fide news medium which in the ordinary course of business disseminates news, editorials, columns, other comments, or other regularly published periodicals if such person represents no other person in lobbying for legislation, covered agency actions, or covered gubernatorial actions. This exception applies to the publication of any periodical which is published and distributed by a membership organization to its subscribers at least twelve times annually and for which an annual subscription charge of at least one dollar fifty cents a subscriber is made;

(g) a person who has specialized knowledge and who assists a lobbyist or lobbyist’s principal in drafting legislation or advising and rendering opinions as to the construction and effect of proposed or pending legislation. /

To further amend the bill, as and if amended, by striking lines 1-5 on page 12 and inserting:

/ (B) The registration must be in a form prescribed by the State Ethics Commission and be limited to and contain:

(1) the consultant’s full name and address, telephone number, occupation, name of employer, principal place of business, and position held in that business by the consultant; /

Amend the bill, as and if amended, page 21 by inserting an appropriately numbered SECTION in line 6 to read:

/ SECTION ( ) Section 2‑17‑120 of the 1976 Code is amended to read:

“Section 2‑17‑120. A lobbyist or consultant who is indicted in a state or federal court for a violation of this chapter must be suspended immediately from acting as a lobbyist or consultant by the State Ethics Commission. The suspension shall remain in effect until the lobbyist or consultant is acquitted, the charge is dismissed, or the lobbyist or consultant becomes subject to Section 2‑17‑130.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

**Amendment No. 77**

Senators LEATHERMAN and RANKIN proposed the following amendment (JUD3945.123), which was adopted:

Amend the bill, as and if amended, by striking subsection 8-13-1120(A)(3) on lines 31-43 on page 33 and inserting:

/ (3)(a) the description, value, and location of all real property owned and options to purchase real property during the reporting period by a filer or a member of the filer’s immediate family if:

(i) there have been any public improvements of more than two hundred dollars on or adjacent to the real property within the reporting period and the public improvements are actually known to the filer; or

(ii) the interest has been or can reasonably be expected to be the subject of a conflict of interest with the filer’s official responsibilities and duties based upon information actually known to the filer; or

(b) if a sale, lease, or rental of personal or real property is to a state, county, or municipal instrumentality of government, a copy of the contract, lease, or rental agreement must be attached to the statement of economic interests; /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

**Amendment No. 81**

Senators HAYES and HUTTO proposed the following amendment (JUD3945.116), which was adopted:

Amend the bill, as and if amended, by striking SECTION 81 and SECTION 82, on lines 7-14 on page 59 and inserting:

/ SECTION 81. The provisions of PART VI (Campaign Practices) and SECTIONS 78, 79 and 80 are effective upon the Governor's signature.

SECTION 82. The provisions of PART I (Lobbyists and Lobbyists’ Principals), PART II (General Provisions), PART III (Ethics Committees), PART IV (Rules of Conduct), and PART V (Disclosure of Economic Interests) of this act takes effective on January 1, 2015. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator HUTTO moved that the amendment be adopted.

The amendment was adopted.

**Amendment No. 82**

Senator RANKIN proposed the following amendment (3945R027.LAR), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑704. An agency head or employee of a department listed in Section 1‑30‑10(A) is prohibited from soliciting campaign contributions for a candidate for statewide elected office.” /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

**Amendment No. 85**

Senator MALLOY proposed the following amendment (3945R029.GM), which was tabled:

Amend the bill, as and if amended, page 28, by striking lines 18‑28.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator THURMOND spoke on the amendment.

Senator THURMOND moved to lay the amendment on the table.

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

**Ayes 24; Nays 14**

**AYES**

Alexander Bennett Bright

Campbell Campsen Corbin

Courson Cromer Davis

Fair Grooms Hayes

Hembree Leatherman *Martin, Larry*

*Martin, Shane* Massey Peeler

Shealy Sheheen Thurmond

Turner Verdin Young

**Total--24**

**NAYS**

Allen Bryant Coleman

Johnson Kimpson Malloy

Matthews McElveen McGill

Nicholson Pinckney Rankin

Scott Setzler

**Total--14**

The amendment was laid on the table.

**Amendment No. 87**

Senator BRIGHT proposed the following amendment (3945R032.LB), which was tabled:

Amend the bill, as and if amended, page 22, line 11, by inserting an appropriately numbered new SECTION to read:

/ SECTION \_\_\_. Section 2‑19‑10 of the 1976 Code is amended by adding:

“(H) No member of the General Assembly who is an attorney licensed to practice law in this State may vote in an election held by the General Assembly in Joint Session for members of the judiciary.” /

Renumber sections to conform.

Amend title to conform.

Senator BRIGHT explained the amendment.

Senator LARRY MARTIN moved to lay the amendment on the table.

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

**Ayes 31; Nays 6**

**AYES**

Alexander Allen Bennett

Campbell Campsen Coleman

Courson Cromer Fair

Hayes Hembree Johnson

Kimpson Malloy *Martin, Larry*

Massey Matthews McElveen

McGill Nicholson Peeler

Pinckney Rankin Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Young

**Total--31**

**NAYS**

Bright Bryant Corbin

Davis Grooms *Martin, Shane*

**Total--6**

The amendment was laid on the table.

**Amendment No. 90**

Senator BRIGHT proposed the following amendment (3945R033.LB), which was tabled:

Amend the bill, as and if amended, if amended, by striking Section 8-13-1120 (A)(10) in its entirety and inserting the following:

/ (10) (a)(1) the source, type, and range of the value of income, from any source, received by the filer or a member of the filers immediate family; and

(2) the source, date, and indication of amount of honoraria from any source, received by a public official or a member of the public official's immediate family in the aggregate of two hundred dollars or more in value during the preceding calendar year, and the source, date, and indication of amount of payments made to charitable organizations in lieu of honoraria.

(3) the source type, and indication of amount or value of any other income received by the filer or a member of the filer’s immediate family, shall not include income received pursuant to:

(i) a court order;

(ii) a savings, checking or brokerage account with a bank, savings and loan, or other licensed financial institution which offers savings, checking or brokerage accounts in the ordinary course of its business and on terms and interest rates generally available to a member of the general public without regard to status as a public official, public member, or public employee;

(iii) a mutual fund or similar fund in which an investment company invests its shareholders’ money in a diversified selection of securities.

(b) For purposes of item ten, range of value of the income shall show which of the following categories the amount or value of such item of income is within:

(i) not more than $50,000, and

(ii) equal to or greater than $50,000. /

Amend the bill further, as and if amended, by striking Section 8-13-1120(A)(11) in its entirety and inserting the following:

/ (11)(a) the specific source type, and indication of amount or value of income received by a public official, a member of the public official's immediate family, or a business with which the public official or a member of his immediate family are associated if the public official or a member of the public official’s immediate family directly derives from any source, including but not limited to income directly derived from a:

(i) contractual or financial relationship, including a consultant or independent contractor's relationship, with a lobbyist’s principal or an entity controlled by, affiliated with, or existing for the benefit of a lobbyist’s principal;

(ii) contractual or financial relationship, including a consultant or independent contractor relationship, with a state or local governmental entity;

(iii) source regulated by the governmental regulatory agency with which the public official serves.

(b) For purposes of item (11), ‘contractual or financial relationship’ does not include a relationship from which income received by a public official, a member of the public official’s immediate family, or a business with which the public official or his immediate family is associated is derived from commercial transactions in which the fair market value of goods transferred or services rendered is paid.

(c) For purposes of item (11) range of value of the income shall show which of the following categories the amount or value of such item of income is within:

(i) not more than $50,000, or

(ii) equal to or greater than $50,000.” /

Renumber sections to conform.

Amend title to conform.

Senator BRIGHT explained the amendment.

Senator LARRY MARTIN moved to lay the amendment on the table.

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

**Ayes 27; Nays 10**

**AYES**

Alexander Allen Bennett

Campbell Campsen Coleman

Cromer Hayes Hembree

Johnson Kimpson *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Pinckney Rankin

Scott Setzler Shealy

Turner Verdin Young

**Total--27**

**NAYS**

Bright Bryant Corbin

Courson Davis Fair

Grooms Malloy Sheheen

Thurmond

**Total--10**

The amendment was laid on the table.

**Amendment No. 91**

Senator MALLOY proposed the following amendment (3945.MW.GM.HEALTHCARE), which was tabled:

Amend the bill, as and if amended, by striking Section 8-13-710(b) in its entirety and inserting the following:

/ “B (1) A member of the General Assembly, when he, an individual with whom he is associated, or a business with which he is associated represents a client for compensation as permitted by subsection (A) (2)(c) must file within his annual statement of economic interests a listing of fees earned services rendered, names of persons represented, and the nature of contacts made with the governmental entities.

(2) If a member of the General Assembly, a member of his immediate family, or a business with which he is associated receives a state, federal or other funds reimbursement or payment of any type directly, or indirectly through a public agency as a pharmacist, physician, dentist or other specific healthcare provider, he must file within his annual statement of economic interests a listing of these funds or payments and the nature of contacts made with the state governmental entity.” /

Renumber sections to conform.

Amend title to conform.

Senator COLEMAN explained the amendment.

Senator LARRY MARTIN moved to lay the amendment on the table.

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

**Ayes 17; Nays 19**

**AYES**

Alexander Bennett Campbell

Campsen Corbin Courson

Cromer Fair Hayes

Hembree *Martin, Larry* Massey

Peeler Shealy Thurmond

Turner Verdin

**Total--17**

**NAYS**

Allen Bright Bryant

Coleman Davis Grooms

Johnson Kimpson Malloy

*Martin, Shane* Matthews McElveen

McGill Nicholson Pinckney

Rankin Scott Sheheen

Young

**Total--19**

Having failed to receive the necessary votes, the Senate refused to table the amendment.

Senator CROMER spoke on the amendment.

Senator COLEMAN spoke on the amendment.

Senator HAYES moved to lay the amendment on the table.

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

**Ayes 21; Nays 14**

**AYES**

Alexander Bennett Campbell

Campsen Courson Cromer

Davis Fair Grooms

Hayes Hembree *Martin, Larry*

*Martin, Shane* Massey McGill

Peeler Shealy Thurmond

Turner Verdin Young

**Total--21**

**NAYS**

Allen Bright Bryant

Coleman Johnson Kimpson

Malloy Matthews McElveen

Nicholson Pinckney Rankin

Scott Sheheen

**Total--14**

The amendment was laid on the table.

**Motion Under Rule 15A Adopted**

At 4:35 P.M., Senator THURMOND moved to invoke the provisions of Rule 15A to vote on the entire matter of H. 3945.

**Call of the Senate**

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

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Coleman Corbin

Courson Cromer Davis

Fair Grooms Hayes

Hembree Johnson Kimpson

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson Peeler

Pinckney Rankin Scott

Shealy Sheheen Thurmond

Turner Verdin Young

The Senate resumed, the question being the motion to invoke Rule 15A.

**Motion Failed**

Senator MALLOY moved that the Senate stand adjourned.

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

**Ayes 6; Nays 30**

**AYES**

Allen Coleman Johnson

Kimpson Malloy Pinckney

**Total--6**

**NAYS**

Alexander Bennett Bright

Bryant Campbell Campsen

Corbin Courson Cromer

Davis Fair Grooms

Hayes Hembree *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

Peeler Rankin Scott

Shealy Sheheen Thurmond

Turner Verdin Young

**Total--30**

The Senate refused to adjourn.

The question then was the motion to invoke Rule 15A.

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

**Ayes 23; Nays 12**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Corbin Courson Cromer

Davis Fair Grooms

Hayes Hembree *Martin, Larry*

*Martin, Shane* Massey Peeler

Shealy Thurmond Turner

Verdin Young

**Total--23**

**NAYS**

Allen Johnson Kimpson

Malloy Matthews McElveen

McGill Nicholson Pinckney

Rankin Scott Sheheen

**Total--12**

Having received the necessary vote, the motion under Rule 15A was adopted.

**Amendment No. 92**

Senator COLEMAN proposed the following amendment (3945.MW.CC.CONTRACT), which was not adopted:

Amend the bill with , as and if amended, by striking Section 8-13-710(b) in its entirety and inserting the following:

/ “B (1) A member of the General Assembly, when he, an individual with whom he is associated, or a business with which he is associated represents a client for compensation as permitted by subsection (A) (2)(c) must file within his annual statement of economic interests a listing of fees earned services rendered, names of persons represented, and the nature of contacts made with the governmental entities.

(2) If a member of the General Assembly, a member of his immediate family, or a business with which he is associated receives income derived through a contract with the State or federal government, he must file within his annual statement of economic interests a listing of the this income and the nature of contracts made with the State.” /

Renumber sections to conform.

Amend title to conform.

The question then was the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 93**

Senator MALLOY proposed the following amendment (3945.MW.GM.APPROPRIATIONS), which was not adopted:

Amend the bill, as and if amended, by striking Section 8-13-710(b) in its entirety and inserting the following:

/ “B (1) A member of the General Assembly, when he, an individual with whom he is associated, or a business with which he is associated represents a client for compensation as permitted by subsection (A) (2)(c) must file within his annual statement of economic interests a listing of fees earned services rendered, names of persons represented, and the nature of contacts made with the governmental entities.

(2) If a member of the General Assembly, a member of his immediate family, or a business with which he is associated receives income in any manner from funding appropriated in the annual general appropriations act, he must file within his annual statement of economic interests a listing of these funds or payments and the nature of contacts made with a state governmental entity administering the appropriation.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY argued in favor of the adoption of the amendment.

The amendment was not adopted.

**Amendment No. 89A**

Senators RANKIN and YOUNG proposed the following amendment (3945R034.LAR), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑1317. Members of the General Assembly and constitutional officers shall file copies of their campaign bank account statements applicable to their previous quarterly campaign disclosure report with the appropriate supervisory office contemporaneous with the filing of their quarterly campaign disclosure report required by Section 8‑13‑1308. The campaign bank account statements are not subject to public disclosure and may only be retained by the appropriate supervisory office for the period of time necessary to conduct any audit or verification of the member or officer’s applicable campaign disclosure report, after which time the statements must be destroyed.” /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

**Amendment No. 80B**

Senator BRYANT proposed the following amendment (JUD3945.134), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to PART IV to read:

/ SECTION \_\_\_. Chapter 13, Title 8 of the 1976 Code of Laws is amended by adding:

“Section 8-13-712. (A) If a public official is permitted, pursuant to the provisions of this chapter and Chapter 17 of Title 2, to appear before any governmental entity of the State, a county, municipality, or political subdivision, at the request of another and is compensated for the appearance or any service related to the appearance, the public official must disclosure the nature of the relationship and the amount of the compensation therefore.

(B) If a public official is permitted, pursuant to the provisions of this chapter and Chapter 17 of Title 2, to appear before any governmental entity of the State, a county, municipality, or political subdivision, for any matter that could impact a business with which the public official, or a member of the public official’s immediate family, is associated, and is not otherwise required by law to be disclosed, the public official must provide a written statement to the governmental entity. This statement must identify:

(1) which office the public official holds;

(2) the matter for which the public official is appearing; and

(3) the business with which the public official or a member of the public official’s immediate family, is associated.

This statement must be referenced in the governmental entity’s minutes of the meeting.

(C) For purposes of this section, a public official is an official of the State, a county, municipality, or a political subdivision, who was elected to that position, or appointed to fill a vacancy for a position that would otherwise have been an elected position.

(D) The provisions of this section do not apply to any court within the unified judicial system or to a matter in a contested case or a matter that may become a contested case, as defined in Section 1-23-310, or otherwise permitted by law.” /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT argued in favor of the adoption of the amendment.

Senator LARRY MARTIN argued contra to the adoption of the amendment.

The amendment was not adopted.

There being no further amendments, the question was third reading of the Bill.

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

**Ayes 33; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Corbin

Courson Cromer Davis

Fair Grooms Hayes

Hembree Johnson Kimpson

Malloy *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson Peeler Pinckney

Rankin Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Young

**Total--33**

**NAYS**

Bright Bryant

**Total--2**

The Bill was read the third time and ordered returned to the House with amendments.

**Statement by Senators YOUNG, TURNER, BENNETT and THURMOND**

We voted for third reading of H. 3945. However, we support an independent entity that would have oversight and conduct investigations for members of the General Assembly.

**ADJOURNMENT**

At 5:09 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

**Recorded Vote**

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

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