**Thursday, March 20, 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:

In addressing Solomon, David admonished his son, saying:

“Take heed now, for the Lord has chosen you to build a house as the sanctuary; be strong, and act.” (I Chronicles 28:10)

Join your heart with mine as we pray:

Holy God, just as David called upon Solomon to be strong and to act for the betterment of the people he was called to serve, so do we call upon each Senator and every aide also to be diligent in service. As these leaders together strive to build a stronger and ever-better South Carolina, lead them, Lord, to focus not upon easily achieved short-term successes but to strive for results which hold solid, long-term benefit for our State. Likewise, Lord, guide and strengthen the members of our Armed Forces, wherever they happen to serve. In Your loving name we pray, Lord. Amen.

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

**Point of Quorum**

At 11:05 A.M., Senator SCOTT made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Bennett Bright

Bryant Campsen Cleary

Corbin Courson Cromer

Grooms Hayes Hembree

Johnson Malloy *Martin, Larry*

*Martin, Shane* Massey Nicholson

O'Dell Peeler Reese

Scott Setzler Shealy

Thurmond Turner Williams

Young

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senators SHANE MARTIN and BRIGHT introduced Dr. David Mitchell of Spartanburg, S.C., Doctor of the Day.

**Leave of Absence**

At 11:05 A.M., Senator SHANE MARTIN requested a leave of absence beginning at 12:17 P.M. until Monday at 9:41 A.M.

**Leave of Absence**

On motion of Senator CLEARY, at 11:05 A.M., Senator CAMPBELL was granted a leave of absence for the balance of the day.

**Leave of Absence**

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

**Leave of Absence**

On motion of Senator NICHOLSON, at 12:00 P.M., Senator WILLIAMS was granted a leave of absence for the balance of the day.

**Expression of Personal Interest**

Senator SHANE MARTIN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator JACKSON rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 865 Sen. Grooms

S. 1077 Sen. Peeler

**RECALLED**

H. 4902 -- Reps. Norrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G.A. Brown, R.L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb‑Hunter, Cole, H.A. Crawford, K.R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M.S. McLeod, W.J. McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, R.L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson‑Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANCE OF MIDDLE‑LEVEL EDUCATION, TO HONOR THE CONTRIBUTIONS OF THOSE WHO EDUCATE THIS UNIQUE AGE GROUP, AND TO DECLARE MARCH 2014 “MIDDLE‑LEVEL EDUCATION MONTH” IN SOUTH CAROLINA.

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

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

**RECALLED**

S. 1110 -- Senators McElveen and Johnson: A CONCURRENT RESOLUTION TO WELCOME THE SUMTER SCHOOL DISTRICT TEACHER FORUM TO THE SOUTH CAROLINA STATE HOUSE AND TO PROCLAIM APRIL 7, 2014, “SUMTER TEACHER FORUM CELEBRATION OF EXCELLENCE DAY” IN SOUTH CAROLINA.

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

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

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1143 -- Senator Davis: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE SENATE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE SENATE OFFICE BUILDING ON THURSDAY, NOVEMBER 20, 2014, AND FRIDAY, NOVEMBER 21, 2014, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

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The Senate Resolution was adopted.

S. 1144 -- Senator Thurmond: A BILL TO AMEND ARTICLE 5, TITLE 59, CHAPTER 25 OF THE 1976 CODE, RELATING TO THE EMPLOYMENT AND DISMISSAL OF TEACHERS, BY ADDING SECTION 59-25-425, TO PROVIDE THAT EACH SCHOOL DISTRICT SHALL ADOPT A WRITTEN REDUCTION IN FORCE POLICY, AND TO PROVIDE FOR THE FACTORS THAT MUST BE CONSIDERED WHEN CREATING THE REDUCTION IN FORCE POLICY.

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Senator THURMOND spoke on the Bill.

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

S. 1145 -- Senators Hayes and Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-490 SO AS TO PROHIBIT SPECIFIED AGENCIES AND ENTITIES FROM PROVIDING ANY INDIVIDUAL STUDENT DATA OR ANY DATA THAT MAY BE USED TO IDENTIFY INDIVIDUAL STUDENTS TO THE UNITED STATES DEPARTMENT OF EDUCATION, ANY OTHER AGENCY OF THE FEDERAL GOVERNMENT, OR ANY THIRD PARTY WITHOUT PERMISSION OF THE GENERAL ASSEMBLY BY A JOINT RESOLUTION; BY ADDING SECTION 59-18-355 SO AS TO PROVIDE FOR REQUIRED CRITERIA AND PROCEDURES TO REVISE CERTAIN STATE CONTENT STANDARDS OR FOR A NEW STANDARD OR A CHANGE IN A CURRENT STANDARD; TO AMEND SECTION 59-18-310, RELATING TO THE DEVELOPMENT OR ADOPTION OF A STATEWIDE ASSESSMENT PROGRAM TO PROMOTE STUDENT LEARNING AND MEASURE STUDENT PERFORMANCE, SO AS TO DELETE EXIT EXAMINATION REQUIREMENTS FOR STUDENTS BEGINNING WITH THE GRADUATING CLASS OF 2015, AND TO FURTHER PROVIDE FOR THE MANNER IN WHICH A STUDENT WHO DID NOT RECEIVE A HIGH SCHOOL DIPLOMA BECAUSE OF A FAILURE TO MEET THE EXIT EXAMINATION REQUIREMENT MAY RECEIVE A HIGH SCHOOL DIPLOMA; BY ADDING SECTION 59-18-325 SO AS TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL ADMINISTER CERTAIN NEW ASSESSMENTS TO STUDENTS IN SPECIFIED GRADES IN THE 2014-2015 SCHOOL YEAR AND IN FUTURE SCHOOL YEARS FOR PARTICULAR ASSESSMENTS; TO AMEND SECTION 59-18-350, AS AMENDED, RELATING TO THE CYCLICAL REVIEW AND ANALYSIS OF STATE STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE FOR THE TIMELINE FOR A REVIEW OF STATE STANDARDS FOR SPECIFIED SUBJECTS, AND TO REVISE THE DURATION OF PREVIOUS CONTENT STANDARDS; TO AMEND SECTION 59-18-950, RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS, SO AS TO REVISE THIS CRITERIA; TO AMEND SECTION 59-48-35, RELATING TO REQUIREMENTS FOR A DIPLOMA FOR STUDENTS ENROLLED IN THE SPECIAL SCHOOL OF SCIENCE AND MATHEMATICS, SO AS TO DELETE THE EXIT EXAMINATION REQUIREMENT; TO REPEAL SECTION 59-139-60 RELATING TO VARIOUS ASSESSMENTS OF STUDENTS, SCHOOLS, AND SCHOOL DISTRICTS; AND TO PROVIDE THAT ON THE EFFECTIVE DATE OF THIS ACT SOUTH CAROLINA SHALL NO LONGER BE A GOVERNING OR ADVISORY STATE IN THE SMARTER BALANCED ASSESSMENT CONSORTIUM, AND FURTHER THAT SOUTH CAROLINA MAY NOT ADOPT OR ADMINISTER THE SMARTER BALANCED ASSESSMENT.

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

S. 1146 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-687 SO AS TO PROVIDE THAT THE PYGMY SHREW IS DESIGNATED AS THE OFFICIAL STATE LAND MAMMAL OF SOUTH CAROLINA.

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

S. 1147 -- Senators Rankin and Hembree: A BILL TO AMEND SECTION 62-5-401, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROTECTIVE PROCEEDINGS IN RELATION TO THE ESTATE AND AFFAIRS OF CERTAIN PERSONS INCLUDING MINORS, PERSONS WITH MENTAL OR PHYSICAL ILLNESS OR DISABILITY, AND MISSING PERSONS, SO AS TO PROVIDE FOR EXPEDITED HEARINGS IN THE CASE OF MISSING PERSONS UNDER CERTAIN CIRCUMSTANCES.

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

S. 1148 -- Senators Malloy, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, 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 EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY AND TO RECOGNIZE THE DARLINGTON RACEWAY AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS, AS WELL AS IDENTIFY SOUTH CAROLINA'S RICH NASCAR HISTORY IN THE STATE OF SOUTH CAROLINA AND TO NAME THE WEEK OF APRIL 6, 2014, THROUGH APRIL 13, 2014, AS DARLINGTON RACEWAY WEEK, A WEEK TOO TOUGH TO TAME.

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

S. 1149 -- Senator Fair: A CONCURRENT RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA STUDENT LEGISLATURE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES IN 2014 AT A DATE AND TIME DETERMINED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT IF SUBSEQUENT TO A DETERMINATION EITHER BODY IS IN SESSION, THE CHAMBERS MAY NOT BE USED AND ALTERNATE DATES AND TIMES MAY BE SELECTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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

S. 1150 -- Senators Jackson and Scott: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR A'JA RIYADH WILSON FOR HER OUTSTANDING ATHLETIC AND ACADEMIC CAREERS AT HEATHWOOD HALL EPISCOPAL SCHOOL, TO CONGRATULATE HER ON HER MANY AWARDS AND ACCOLADES, AND TO WISH HER WELL IN THE FUTURE ON AND OFF THE BASKETBALL COURT.

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

S. 1151 -- Senator Lourie: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DIANNA KELLY JENNINGS OF RICHLAND COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

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The Senate Resolution was adopted.

H. 4223 -- Reps. Nanney, Delleney, Lucas, Simrill, G. M. Smith, Stringer, Bedingfield, Wood, Clemmons, H. A. Crawford, Gagnon, Atwater, Huggins, Owens, Limehouse, Norman, Erickson, Willis, Rivers, Allison, Ballentine, Bannister, Burns, Chumley, Henderson, Long, Merrill, D. C. Moss, Pitts, Pope, G. R. Smith, Tallon, Thayer, Hamilton, Harrell, Toole, Forrester, Felder, Hiott, Taylor, Bowen, Loftis, Hixon, J. R. Smith, Putnam, Daning, Crosby, Barfield and Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 41, TITLE 44 SO AS TO ENACT THE "SOUTH CAROLINA PAIN-CAPABLE UNBORN CHILD PROTECTION ACT", TO PROVIDE FINDINGS OF THE GENERAL ASSEMBLY, TO PROVIDE NECESSARY TERMS, TO PROVIDE A PHYSICIAN OR ALLIED HEALTH PROFESSIONAL SHALL CALCULATE THE PROBABLE POST-FERTILIZATION AGE OF AN EMBRYO OR FETUS BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST-FERTILIZATION AGE OF THE EMBRYO OR FETUS IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN EDUCATIONAL MATERIALS BE PRODUCED AND DISTRIBUTED, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

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

H. 4949 -- Reps. Hardwick, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE MARY C. HOLMES OF HORRY COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER MUCH HAPPINESS IN THE DAYS AHEAD.

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

H. 4951 -- Reps. Ryhal, Barfield, Clemmons, Anderson, Goldfinch, Edge, H. A. Crawford, Hardee and Hardwick: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE COASTAL CAROLINA UNIVERSITY MEN'S BASKETBALL TEAM FOR AN OUTSTANDING SEASON AND FOR CAPTURING THE 2014 BIG SOUTH CHAMPIONSHIP TITLE.

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

H. 4955 -- Reps. Barfield, Clemmons, Hardwick, Goldfinch, Hardee, Edge, Ryhal, Anderson, H. A. Crawford, George and Hayes: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR COACH ALAN CONNIE AND THE COASTAL CAROLINA UNIVERSITY CHANTICLEER WOMEN'S INDOOR TRACK AND FIELD TEAM FOR THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2014 BIG SOUTH INDOOR TRACK AND FIELD CHAMPIONSHIP.

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

**Motion Adopted**

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

**REPORTS OF STANDING COMMITTEES**

Senator PEELER from the Committee on Medical Affairs submitted a majority favorable and Senator HUTTO a minority unfavorable report on:

S. 204 -- Senators Bright, Bryant, Verdin, Shealy and Fair: A BILL TO AMEND SECTION 44‑41‑10 OF THE 1976 CODE, RELATING TO DEFINITIONS CONCERNING ABORTIONS, TO PROVIDE THAT A LICENSED PHYSICIAN WHO PERFORMS AN ABORTION MUST ALSO BE BOARD CERTIFIED IN OBSTETRICS AND GYNECOLOGY; AND TO AMEND CHAPTER 41, TITLE 44, BY ADDING SECTION 44‑41‑25 TO PROVIDE THAT A PHYSICIAN PERFORMING AN ABORTION OUTSIDE OF A HOSPITAL MUST HAVE ADMITTING AND STAFF PRIVILEGES AT A LOCAL CERTIFIED HOSPITAL.

Ordered for consideration tomorrow.

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

S. 997 -- Senator Jackson: A BILL TO AMEND SECTION 40‑67‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SPEECH PATHOLOGISTS AND AUDIOLOGISTS PRACTICE ACT, SO AS TO ADD, REVISE, AND DELETE DEFINITIONS; TO AMEND SECTION 40‑67‑50, RELATING TO LICENSURE FEES, SO AS TO ADD, REVISE, AND DELETE FEES; TO AMEND SECTION 40‑67‑220, RELATING TO LICENSURE REQUIREMENTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40‑67‑260, RELATING TO ANNUAL AUDITS OF LICENSURE RECORDS THAT THE BOARD MAY CONDUCT, SO AS TO PROVIDE THE BOARD MAY CONDUCT THESE AUDITS BIENNIALLY INSTEAD OF ANNUALLY; AND TO AMEND SECTION 40‑67‑280, RELATING TO ACTIVATION OF AN INACTIVE LICENSE, SO AS TO REQUIRE SUBMISSION OF A FORM DEVELOPED AND PROVIDED BY THE BOARD.

Ordered for consideration tomorrow.

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

S. 1035 -- Senators Davis, Rankin, Shealy, Cleary, L. Martin, Grooms, Bright, Pinckney, Coleman, Bryant and Verdin: A BILL TO AMEND ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO THE CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH ACT OF 1980, TO ENACT THE MEDICAL CANNABIS THERAPEUTIC TREATMENT RESEARCH ACT; TO ESTABLISH THE MEDICAL CANNABIS THERAPEUTIC TREATMENT RESEARCH PROGRAM AT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE FOR PATIENTS ELIGIBLE TO PARTICIPATE IN THE PROGRAM; TO PROVIDE WHO AND UNDER WHAT CIRCUMSTANCES MEDICAL CANNABIS CAN BE ADMINISTERED TO A PATIENT; TO PROVIDE FOR NOTICE TO A PARTICIPATING PATIENT THAT THE PATIENT WILL BE PARTICIPATING IN A RESEARCH STUDY AND OF THE EXPERIMENTAL NATURE OF THE MEDICAL CANNABIS PROGRAM; TO PROVIDE FOR THE PROTECTION OF A PARTICIPATING PATIENT’S PERSONAL INFORMATION; TO PROVIDE FOR THE OPERATION OF THE PROGRAM BY THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE REPORTING REQUIREMENTS BY ACADEMIC MEDICAL CENTERS THAT SUPERVISE OR ADMINISTER MEDICAL CANNABIS TREATMENTS; AND TO PROVIDE CRIMINAL AND CIVIL IMMUNITY FROM STATE ACTIONS OR SUITS ARISING FROM THE PROPER IMPLEMENTATION OF THIS ACT; AND TO PROVIDE THAT THE STATE SHALL DEFEND STATE EMPLOYEES WHO, IN GOOD FAITH, CARRY OUT THE PROVISIONS OF THIS ACT; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COLLABORATE WITH ACADEMIC MEDICAL CENTERS TO ASSIST INTERESTED PATIENTS WITH THE APPLICATION PROCESS TO PARTICIPATE IN EXISTING UNITED STATES FOOD AND DRUG ADMINISTRATION APPROVED INVESTIGATIONAL NEW DRUG STUDIES CONCERNING MEDICAL CANNABIS.

Ordered for consideration tomorrow.

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

S. 1036 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 15, TITLE 40 SO AS TO ENACT THE “DENTAL SEDATION ACT”, TO PROVIDE REQUIREMENTS CONCERNING THE PROVISION OF VARYING LEVELS OF SEDATION TO DENTAL PATIENTS; TO AMEND SECTION 40‑15‑85, RELATING TO DEFINITIONS IN THE DENTISTRY PRACTICE ACT, SO AS TO ADD NECESSARY DEFINITIONS; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 15, TITLE 40 AS ARTICLE 1 “GENERAL PROVISIONS”.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a majority favorable and Senator HUTTO a minority unfavorable report on:

S. 1077 -- Senators Hembree, Verdin, Cromer, Bennett, Cleary, Thurmond, Massey, Hayes, Shealy, Grooms, Young, Fair, Campbell, Courson, Davis, L. Martin, Alexander, Gregory, Turner and Peeler: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT THE STATE HEALTH CARE CHOICE ACT, SENATE BILL 1711, TO ENSURE THAT THE STATE OF SOUTH CAROLINA AND ALL STATES HAVE THE OPTION TO CONTINUE TO IMPLEMENT STATE LAWS RELATING TO HEALTH CARE DELIVERY AND HEALTH INSURANCE THAT WERE IN EFFECT PRIOR TO THE DATE OF ENACTMENT OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3631 -- Reps. Daning, Crosby, Sottile, Atwater, Sabb, Erickson, Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑3‑115 SO AS TO PROVIDE FOR THE ISSUANCE OF GOLF CART PERMITS, TO REGULATE THE OPERATION OF GOLF CARTS, AND TO PROVIDE A PENALTY; AND TO REPEAL SECTION 56‑2‑105 RELATING TO THE ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., March 20, 2014

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

**S. 657--Referred to Committee on Judiciary**

Upon the recommendation of Senator COURSON, under Rule 32C, the PRESIDENT referred the Bill to the Committee on Judiciary.

**Message from the House**

Columbia, S.C., March 20, 2014

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 20, 2014

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 20, 2014

Mr. President and Senators:

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

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 20, 2014

Mr. President and Senators:

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

H. 3231 -- Reps. Atwater, Huggins, Toole, Ballentine, Taylor, Bingham, Pitts and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57‑1‑90 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOT DISCRIMINATE AGAINST MOTORCYCLES, MOTORCYCLE OPERATORS, OR MOTORCYCLE PASSENGERS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCE**

S. 1134 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE REVEREND DR. JAMES FRASER LYON IV FOR HIS MANY YEARS OF FAITHFUL SERVICE TO GOD, THE CHURCH, AND HER PEOPLE IN THE SACRAMENT OF HOLY ORDERS OF THE PRIESTHOOD AND TO COMMEND HIM FOR BECOMING THE LONGEST‑SERVING RECTOR AT THE EPISCOPAL CHURCH OF THE GOOD SHEPHERD IN COLUMBIA.

Returned with concurrence.

Received as information.

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

**THIRD READING BILLS**

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

S. 1013 -- Senator Malloy: A BILL TO PROVIDE THAT IF, AFTER CLOSING THE BOOKS, THE DARLINGTON COUNTY SCHOOL DISTRICT HAS IN ITS UNASSIGNED FUND BALANCE MORE THAN FIFTEEN MILLION DOLLARS, THEN THE COUNTY AUDITOR MUST GRANT A SCHOOL DEBT PROPERTY TAX CREDIT, AND IF ANY EXCESS REMAINS, A SCHOOL PROPERTY TAX CREDIT, AND TO PROVIDE THE MANNER IN WHICH THE CREDIT IS CALCULATED.

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.

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

S. 1026 -- Senator Alexander: A BILL TO AMEND SECTION 29‑5‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUITS ON CONTRACTOR PAYMENT BONDS, SO AS TO PROVIDE THAT CERTAIN WRITTEN NOTICE REQUIRED OF A REMOTE CLAIMANT MUST BE SENT BY CERTIFIED OR REGISTERED MAIL, AND MUST GENERALLY CONFORM WITH STATUTORY LIMITS ON THE AGGREGATE AMOUNT OF LIENS FILED BY A SUB‑SUBCONTRACTOR OR SUPPLIER; TO PROVIDE ANY PAYMENT BOND SURETY FOR THE BONDED CONTRACTOR SHALL HAVE THE SAME RIGHTS AND DEFENSES OF THE BONDED CONTRACTOR; TO MAKE THE LANGUAGE APPLICABLE TO ANY PAYMENT BOND WHETHER PRIVATE, COMMON LAW, PUBLIC, OR STATUTORY IN NATURE, WHEN THE BONDS ARE NOT OTHERWISE REQUIRED OR GOVERNED BY STATUTE; AND TO PROVIDE NECESSARY DEFINITIONS.

S. 1130 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BUILDING CODES COUNCIL, RELATING TO IRC SECTION R312.2 WINDOW FALL PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4435, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 343 -- Senator Hayes: A BILL TO AMEND CHAPTER 1, TITLE 36, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GENERAL PROVISIONS OF THE UNIFORM COMMERCIAL CODE, SO AS TO MAKE CONFORMING AND TECHNICAL CORRECTIONS IN ORDER FOR CHAPTER 1 TO REMAIN CONSISTENT WITH OTHER REVISED CHAPTERS; TO MAKE CERTAIN CHANGES TO CLARIFY AMBIGUITIES THAT HAVE ARISEN OVER THE YEARS; TO MAKE CERTAIN SUBSTANTIVE CHANGES, INCLUDING CHANGES RELATED TO THE EXPANSION OF THE DEFINITION OF GOOD FAITH AND THE RELEVANCE OF COURSE OF PERFORMANCE IN CONTRACT INTERPRETATION; TO AMEND CHAPTER 7, TITLE 36, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ARTICLE 7 OF THE UNIFORM COMMERCIAL CODE, SO AS TO REVISE THE CHAPTER IN ITS ENTIRETY IN ORDER TO PROVIDE FOR THE USE OF ELECTRONIC DOCUMENTS OF TITLE AND TO MAKE CONFORMING CHANGES; TO MAKE CONFORMING CHANGES IN OTHER CHAPTERS OF THE UNIFORM COMMERCIAL CODE; AND TO REPEAL SECTIONS 36‑2‑208 AND 36‑2A‑207.

**AMENDED, READ THE THIRD TIME**

**SENT TO THE HOUSE**

S. 841 -- Senator Cleary: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 63, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE REGULATION OF CHILDCARE FACILITIES, BY ADDING SECTION 63-13-185, SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, AND TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, AND TO PROVIDE PENALTIES.

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

**Motion Under Rule 26B**

Senator MALLOY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator MALLOY proposed the following amendment (JUD0841.002), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 13 through 16, in Section 63-13-185, as contained in SECTION 1, and inserting therein the following:

/ (D) This section does not apply to a person who administers a medication as prescribed, directed, or intended, to a child, when that person has a good faith belief the child is suffering from a medical emergency and administering medication would prevent the death or serious injury of the child. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campsen Cleary

Corbin Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Lourie

Malloy *Martin, Larry* Massey

McElveen McGill Nicholson

O'Dell Peeler Rankin

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Young

**Total--35**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**SECOND READING BILL**

The following Bill, having been read the second time, was ordered placed on the Third Reading Calendar:

S. 798 -- Senators Malloy and Williams: A BILL TO AMEND ACT 256 OF 1981, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF MARLBORO COUNTY, SO AS TO REVISE THE MANNER IN WHICH CANDIDATES FOR ELECTION TO THE SCHOOL BOARD ARE DEEMED TO BE ELECTED, TO PROVIDE THE COUNTY SCHOOL BOARD MAY DETERMINE SALARIES AND ALLOWANCES OF BOARD MEMBERS AND APPROVE LOCAL TAX FUNDS NEEDED FOR THESE SALARIES AND ALLOWANCES, AND TO DELETE PROVISIONS REQUIRING THE BOARD MEMBERS TO RECEIVE A PER DIEM AND THE CHAIRMAN TO RECEIVE ADDITIONAL COMPENSATION.

**S. 798--Ordered to a Third Reading**

On motion of Senator MALLOY, S. 798 was ordered to receive a third reading on Friday, March 21, 2014.

**CARRIED OVER**

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

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

H. 3797 -- Reps. Sandifer and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑90‑165 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY DECLARE A CAPTIVE INSURANCE COMPANY INACTIVE IN CERTAIN CIRCUMSTANCES AND THAT THE DIRECTOR MAY MODIFY THE MINIMUM TAX PREMIUM APPLICABLE TO THE COMPANY DURING INACTIVITY; BY ADDING SECTION 38‑90‑215 SO AS TO PROVIDE A PROTECTED CELL MAY BE EITHER INCORPORATED OR UNINCORPORATED, AND TO PROVIDE REQUIREMENTS FOR EACH; BY ADDING SECTION 38‑90‑250 SO AS TO PROVIDE THE DEPARTMENT MUST CONSIDER A LICENSED CAPTIVE INSURANCE COMPANY THAT MEETS THE REQUIREMENTS OF AN INSURER FOR ISSUANCE OF A CERTIFICATE OF AUTHORITY TO ACT AS AN INSURER; TO AMEND SECTION 38‑90‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE ADDITIONAL TERMS AND REVISE DEFINITIONS OF CERTAIN EXISTING TERMS; TO AMEND SECTION 38‑90‑20, AS AMENDED, RELATING TO THE DOCUMENTATION REQUIRED FOR LICENSING CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE THE REQUIREMENT OF A CERTIFICATE OF GENERAL GOOD ISSUED BY THE DIRECTOR; TO AMEND SECTION 38‑90‑35, RELATING TO THE CONFIDENTIALITY OF INFORMATION CONCERNING CAPTIVE INSURANCE COMPANIES SUBMITTED TO THE DEPARTMENT OF INSURANCE, SO AS TO REVISE REQUIREMENTS FOR MAKING THE INFORMATION SUBJECT TO DISCOVERY IN A CIVIL ACTION; TO AMEND SECTION 38‑90‑40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS, SECURITY REQUIREMENTS, AND RESTRICTIONS ON DIVIDEND PAYMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK, AND TO REVISE REQUIREMENTS FOR CONTRIBUTIONS TO A CAPTIVE INSURANCE COMPANY INCORPORATED AS A NONPROFIT, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑50, AS AMENDED, RELATING TO FREE SURPLUS REQUIREMENTS OF A CAPTIVE INSURANCE COMPANY, SO AS TO REVISE THE FORM OF CAPITAL REQUIRED FOR A CAPTIVE INSURANCE COMPANY THAT IS NOT A SPONSORED CAPTIVE INSURANCE COMPANY THAT ASSUMES RISK; TO AMEND SECTION 38‑90‑55, AS AMENDED, RELATING TO THE INCORPORATION OF CAPTIVE INSURANCE COMPANIES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE, AND THE ISSUANCE OF CAPITAL STOCK AT PAR VALUE; TO AMEND SECTION 38‑90‑60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE AVAILABLE OPTIONS; TO AMEND SECTION 38‑90‑80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF CAPTIVE INSURANCE COMPANIES BY THE DEPARTMENT, SO AS TO DELETE REFERENCES TO PURE CAPTIVE INSURANCE COMPANIES AND SPECIAL PURPOSE CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38‑90‑90, AS AMENDED, RELATING TO THE SUSPENSION OR REVOCATION OF A CAPTIVE INSURANCE LICENSE, SO AS TO MAKE A GRAMMATICAL CHANGE; TO AMEND SECTION 38‑90‑100, AS AMENDED, RELATING TO THE LOANS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE A SPONSORED CAPTIVE INSURANCE COMPANY MAY MAKE LOANS TO ITS PARENT COMPANY IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38‑90‑130, AS AMENDED, RELATING THE PROHIBITION AGAINST PARTICIPATION IN PLAN, POOL, ASSOCIATION, GUARANTY, OR INSOLVENCY FUNDS BY CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE CAPTIVE INSURANCE COMPANIES, INCLUDING PURE CAPTIVE INSURANCE COMPANIES, MAY PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING, AMONG OTHER THINGS; TO AMEND SECTION 38‑90‑180, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS RELATING TO INSURANCE, SO AS TO PROVIDE REQUIREMENTS FOR THE NAME OF NEW CAPTIVE INSURANCE COMPANIES, TO PROVIDE CIRCUMSTANCES IN WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH PROTECTED CELLS, INCLUDING REQUIREMENTS FOR A PLAN OF OPERATION, THE ATTRIBUTIONS OF ASSETS AND LIABILITIES BETWEEN A PROTECTED CELL AND THE GENERAL ACCOUNT OF THE SPONSORED CAPTIVE INSURANCE COMPANY, AND ADMINISTRATIVE AND ACCOUNTING PROCEDURES; TO AMEND SECTION 38‑90‑210, RELATING TO THE SEPARATE ACCOUNTING OF PROTECTED CELLS WHEN ESTABLISHED, SO AS TO REQUIRE THIS ACCOUNTING MUST REFLECT THE PARTICIPANTS OF THE PROTECTED CELL IN ADDITION TO EXISTING REQUIREMENTS; TO AMEND SECTION 38‑90‑220, AS AMENDED, RELATING TO CERTAIN REQUIREMENTS APPLICABLE TO SPONSORS OF CAPTIVE INSURANCE COMPANIES, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38‑90‑230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THAT PROTECTED CELLS ASSETS ARE ONLY AVAILABLE TO CREDITORS OF THE SPONSORED CAPTIVE INSURANCE COMPANY AND RELATED REQUIREMENTS, AND TO PROVIDE REQUIREMENTS CONCERNING OBLIGATIONS OF SPONSORED CAPTIVE INSURANCE COMPANIES WITH RESPECT TO PROTECTED CELLS AND ITS GENERAL ACCOUNT; TO AMEND SECTION 38‑90‑240, RELATING TO THE ELIGIBILITY OF A LICENSED CAPTIVE INSURANCE COMPANY FOR CERTIFICATE OF AUTHORITY TO ACT AS INSURER, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE FOR WHO MAY PARTICIPATE IN A SPONSORED CAPTIVE INSURANCE COMPANY AND OBLIGATIONS OF THESE PARTICIPANTS, AND TO PROVIDE SPONSORED CAPTIVE INSURANCE COMPANIES MAY NOT BE USED TO FACILITATE INSURANCE SECURITIZATION TRANSACTIONS; TO AMEND SECTION 38‑90‑450, AS AMENDED, RELATING TO ORGANIZATION REQUIREMENTS FOR SPECIAL PURPOSE FINANCIAL CAPTIVES, SO AS TO DELETE PROVISIONS CONCERNING THE MINIMUM NUMBER AND STATUS OF INCORPORATORS, AND PREREQUISITES TO TRANSMITTING ARTICLES OF INCORPORATION TO THE SECRETARY OF STATE; AND TO REPEAL SECTION 38‑90‑235 RELATING TO TERMS AND CONDITIONS FOR PROTECTED CELL INSURANCE COMPANIES TO APPLY TO SPONSORED CAPTIVE INSURANCE COMPANIES.

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

S. 511 -- Senator Campsen: A BILL TO AMEND SECTION 12‑43‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FOUR PERCENT SPECIAL ASSESSMENT RATIO, SO AS TO PROVIDE THAT AN ELIGIBILITY PROVISION REQUIRING A CERTAIN OWNERSHIP PERCENTAGE DOES NOT APPLY IF THE PROPERTY IS HELD BY A TRUST, FAMILY LIMITED PARTNERSHIP, OR LIMITED LIABILITY COMPANY UNDER CERTAIN SITUATIONS.

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

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

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

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.

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

S. 890 -- Senator Cleary: A BILL TO AMEND SECTION 48‑39‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, SO AS TO DELETE THE EMERGENCY ORDER EXCEPTION TO ORDERS BY APPOINTED OFFICIALS OF COUNTIES AND MUNICIPALITIES; TO AMEND SECTION 48‑39‑280, RELATING TO THE SHORELINE FORTY‑YEAR RETREAT POLICY, SO AS TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER JULY 1, 2014, AND TO ELIMINATE THE RIGHT OF LOCAL GOVERNMENTS AND LANDOWNERS TO PETITION THE ADMINISTRATIVE LAW COURT TO MOVE THE BASELINE SEAWARD UPON COMPLETION OF A BEACH RENOURISHMENT PROJECT; AND TO AMEND SECTION 48‑39‑290, AS AMENDED, RELATING TO CONSTRUCTION RESTRICTIONS SEAWARD OF THE BASELINE, EXCEPTIONS TO RESTRICTIONS, AND SPECIAL PERMITS, SO AS TO ELIMINATE THE EXCEPTION OF GOLF COURSES FROM A PERMIT REQUIREMENT AND TO SUBSTITUTE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL’S COASTAL DIVISION AS THE DIVISION TO CONSIDER APPLICATIONS FOR SPECIAL PERMITS.

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

S. 817 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑47 SO AS TO REQUIRE PERSONS SEEKING CERTAIN POSITIONS OR WHO VOLUNTEER OR SERVE IN A POSITION SUPPORTED, SPONSORED, OR ADMINISTERED BY THE SOUTH CAROLINA COMMISSION ON NATIONAL AND COMMUNITY SERVICE TO UNDERGO A STATE AND NATIONAL CRIMINAL HISTORY BACKGROUND CHECK AND TO PROVIDE PROCEDURES TO BE FOLLOWED AND FOR THE COSTS OF THE BACKGROUND CHECKS.

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

S. 1037 -- Senator Fair: A BILL TO AMEND SECTION 56‑1‑148 OF THE 1976 CODE, RELATING TO THE IDENTIFYING CODE AFFIXED ON THE DRIVER’S LICENSE OF A PERSON CONVICTED OF CERTAIN CRIMES, TO REMOVE THE FIFTY DOLLAR FEE ASSOCIATED WITH THE IDENTIFYING CODE.

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

S. 1070 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑525 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES THE AUTHORITY TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; AND TO AMEND SECTION 50‑11‑520, AS AMENDED, 50‑11‑530, 50‑11‑540, AND 50‑11‑544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES’ REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEYS, TO ESTABLISH “SOUTH CAROLINA YOUTH TURKEY HUNTING DAY”, TO ESTABLISH BAG LIMITS FOR THE TAKING OF MALE WILD TURKEYS, TO PROVIDE THAT THE DEPARTMENT MUST CONDUCT AN ANALYSIS OF THE STATE’S WILD TURKEY RESOURCES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY WHICH RECOMMENDS CHANGES TO THE WILD TURKEY SEASON AND BAG LIMITS, TO REVISE THE DEPARTMENT’S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, AND TO ALLOW IT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE HUNTING OF WILD TURKEY, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL.

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

S. 1071 -- Senator Campsen: A BILL TO AMEND SECTION 50‑1‑60, AS AMENDED, SECTIONS 50‑11‑120, 50‑11‑150, AND SECTIONS 50‑11‑310, 50‑11‑335, 50‑11‑430, ALL AS AMENDED, RELATING TO THE DIVISION OF THE STATE INTO GAME ZONES, SMALL GAME SEASONS, SMALL GAME BAG LIMITS, THE OPEN SEASON FOR ANTLERED DEER, THE BAG LIMIT ON ANTLERED DEER, AND BEAR HUNTING, SO AS TO DECREASE THE NUMBER OF GAME ZONES, REVISE THE DATES FOR THE VARIOUS SMALL GAME SEASONS, TO REVISE THE SMALL GAME BAG LIMITS FOR THE VARIOUS GAME ZONES, REVISE THE DATES FOR THE VARIOUS ANTLERED DEER OPEN SEASON; AND TO REPEAL SECTION 50‑11‑2110 RELATING TO FIELD TRIALS IN AND PERMITS FOR GAME ZONE NINE.

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

H. 3021 -- Reps. Clemmons, Sellers, R.L. Brown, Putnam, Kennedy, Gilliard, Toole, Branham, Rutherford, King and Cobb‑Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO ENACT THE IRAN DIVESTMENT ACT OF 2013 AND TO PROHIBIT CERTAIN INVESTMENTS AND CONTRACTS WITH PERSONS DEEMED TO BE ENGAGING IN INVESTMENT ACTIVITIES IN IRAN.

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

H. 3124 -- Reps. Bingham, Taylor, Long and M.S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

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

H. 3191 -- Reps. Cole and Tallon: A BILL TO AMEND SECTIONS 56‑5‑130 AND 56‑5‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS “MOTOR VEHICLE” AND “MOTORCYCLE”, SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

H. 4259 -- Reps. Goldfinch and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑17‑760 SO AS TO ENACT THE “SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT”, TO PROVIDE THAT A PERSON WHO, WITH THE INTENT OF SECURING A TANGIBLE BENEFIT, KNOWINGLY AND FALSELY REPRESENTS HIMSELF TO HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES OR TO HAVE BEEN AWARDED A DECORATION, MEDAL, RIBBON, OR OTHER DEVICE AUTHORIZED BY CONGRESS OR PURSUANT TO FEDERAL LAW FOR THE ARMED FORCES OF THE UNITED STATES, IS GUILTY OF A MISDEMEANOR.

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

H. 4482 -- Rep. Ridgeway: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑691 SO AS TO PROVIDE THAT THE WOOLY MAMMOTH IS DESIGNATED AS THE OFFICIAL STATE FOSSIL OF SOUTH CAROLINA.

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

H. 4385 -- Rep. Parks: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 IN GREENWOOD COUNTY FROM ITS INTERSECTION WITH “MAYS CROSSROADS” TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 25 “DR. BENJAMIN E. MAYS HIGHWAY”, AND THAT APPROPRIATE MARKERS OR SIGNS BE ERECTED ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “DR. BENJAMIN E. MAYS HIGHWAY”.

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

H. 4873 -- Rep. Cobb‑Hunter: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA’S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL AS “CHILD ABUSE PREVENTION MONTH” IN THE STATE OF SOUTH CAROLINA.

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

**AMENDMENT PROPOSED, CARRIED OVER**

H. 3919 -- Reps. Owens, Bowen, Patrick, Taylor, Anderson, Allison, Brannon, Loftis, Ballentine, Rivers, Huggins, Knight, Simrill, King, Willis, Whitmire, McCoy, Anthony, Crosby, Neal, Clyburn, Barfield, Bedingfield, R.L. Brown, Cobb‑Hunter, George, Hayes, Hiott, Hixon, Hosey, Lucas, Pope, Putnam, G.R. Smith, Wells, Wood, Whipper, Mitchell, Robinson‑Simpson and Dillard: A BILL TO AMEND SECTION 59‑18‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXIT EXAM REQUIRED FOR HIGH SCHOOL GRADUATION, SO AS TO PROVIDE THAT ALL STUDENTS MUST TAKE THE EXIT EXAM TO GRADUATE BUT NEED NOT ATTAIN ANY MINIMUM SCORE ON THE EXIT EXAM TO GRADUATE, TO PROVIDE AN ELIGIBLE STUDENT WHO PREVIOUSLY FAILED TO RECEIVE A HIGH SCHOOL DIPLOMA OR WAS DENIED GRADUATION SOLELY FOR FAILING THE EXIT EXAM MAY REENROLL IN HIGH SCHOOL AND WILL NOT HAVE TO PASS THE EXIT EXAM TO RECEIVE A HIGH SCHOOL DIPLOMA, AND TO REQUIRE THE DEPARTMENT OF EDUCATION TO REMOVE ANY CONFLICTING REQUIREMENTS AND PROMULGATE CONFORMING CHANGES IN ITS APPLICABLE REGULATIONS; TO AMEND SECTION 59‑48‑35, RELATING TO REQUIREMENTS FOR A DIPLOMA FROM THE SPECIAL SCHOOL OF SCIENCE AND MATHEMATICS, AND SECTION 59‑139‑60, RELATING TO THE DUTY OF THE STATE BOARD OF EDUCATION TO REVIEW STUDENT PERFORMANCE ON ASSESSMENT TESTING AND TO MONITOR THE PERFORMANCE OF SCHOOLS AND SCHOOL DISTRICTS, ALL SO AS TO MAKE CONFORMING CHANGES; AND TO CREATE THE HIGH SCHOOL ASSESSMENT STUDY COMMITTEE TO CONSIDER WHETHER THE HIGH SCHOOL ASSESSMENT PROGRAM SHOULD REMAIN THE ACCOUNTABILITY ASSESSMENT USED BY THE STATE AND TO RECOMMEND AN ALTERNATIVE IF NECESSARY, TO PROVIDE FOR THE COMPOSITION AND STAFFING OF THE STUDY COMMITTEE, TO REQUIRE THE COMMITTEE REPORT CERTAIN INFORMATION TO THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE TERMINATION OF THE STUDY COMMITTEE.

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

Senator HAYES proposed the following amendment (AGM\3919C007.AGM.AB14):

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

/ SECTION \_\_\_. Article 3, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑325. (A) All students entering the eleventh grade for the first time in school year 2014‑2015 and subsequent years, and all students entering the twelfth grade for the first time in school year 2014‑2015 only, must be administered a career readiness assessment and a college readiness assessment that are provided by vendors and are procured by the department. The results of the assessments must be provided to each student, their respective schools, and to the State to:

(1) assist students, parents, teachers, and guidance counselors in developing individual graduation plan and in selecting courses aligned with each student’s future ambitions;

(2) promote South Carolina’s Work Ready Communities initiative; and

(3) meet federal and state accountability requirements.

(B) Students may subsequently use the results of these assessments to apply to college or to enter careers. The results must be added as part of each student’s permanent record and maintained at the department for at least ten years. The purpose of the results is to provide instructional information to assist students, parents, and teachers to plan for each student’s course selection. This course selection might include remediation courses, dual‑enrollment courses, advanced placement courses, internships, or other options during the remaining semesters in high school. /

Renumber sections to conform.

Amend title to conform.

Senator HAYES explained the amendment.

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

**OBJECTION**

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.

Senator BRYANT explained the Bill.

Senator YOUNG objected to further consideration of the Bill.

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

**SPECIAL ORDER FAILED**

H. 3412 -- Reps. Harrell, Lucas, Clemmons, Herbkersman, Loftis, Barfield, Huggins, Bowen, K.R. Crawford, Allison, Merrill, Ballentine, McCoy, Wood, Erickson, Putnam, Bannister, Branham, Taylor, Limehouse, Southard, Atwater, Bingham, Brannon, Chumley, Cole, Crosby, Daning, Delleney, Gagnon, Gambrell, Goldfinch, Henderson, Hiott, Hixon, Kennedy, Lowe, D.C. Moss, V.S. Moss, Murphy, Newton, Owens, Patrick, Pitts, Pope, Rivers, Ryhal, Sandifer, G.M. Smith, G.R. Smith, J.R. Smith, Sottile, Spires, Stringer, Tallon, Thayer, Toole, White, Whitmire, Willis, Hardwick, Quinn, Hamilton, Forrester and Edge: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑36‑2647 SO AS TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE NON‑FEDERAL AID HIGHWAY FUND, AND TO PROVIDE FOR THE USE OF THESE REVENUES.

Senator CLEARY moved that the Bill be set for Special Order.

Senator GROOMS argued contra to the motion to make the Bill a Special Order and Senator LEATHERMAN argued in favor of the motion to make the Bill a Special Order.

Senator BRYANT asked unanimous consent to argue contra to the motion to make the Bill a Special Order.

There was no objection.

Senator SHEHEEN asked unanimous consent to argue in favor of the motion to make the Bill a Special Order.

There was no objection.

**OBJECTION**

Senator GROOMS asked unanimous consent to set H. 3412 and S. 300 for Special Order.

Senator SCOTT objected.

The question then was the motion to set H. 3412 for Special Order.

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

**Ayes 25; Nays 16**

**AYES**

Alexander Allen Cleary

Coleman Courson Davis

Gregory Hutto Jackson

Johnson Leatherman Lourie

Malloy Matthews McElveen

McGill Nicholson O'Dell

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond

**Total--25**

**NAYS**

Bennett Bright Bryant

Campsen Corbin Cromer

Fair Grooms Hayes

Hembree Martin, Larry Massey

Peeler Turner Verdin

Young

**Total--16**

Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

**Remarks by Senator SHEHEEN**

Thank you very much, I will be brief. If you have driven the roads of the State, you should be ashamed. Where is the leadership? On I‑95, you come up from Florida, six lanes are smooth. If you come up from Georgia, six lanes are smooth. When you hit South Carolina, there is a traffic jam. You can’t even cut the grass in the median. I was with a lady yesterday who told me she hit a pothole in the Upstate. Her tire was flattened and she was thankful to be alive. The same thing happened to me three weeks ago on Highway 97 coming from Lancaster to Kershaw County. I hit a pothole and my tire was flat. Some of you may think it's funny. I was stuck on the side of the road in my suit and tie, in the rain, with no cell phone reception.

The two single big impediments of job growth in South Carolina is the tax structure of this State, which has put a burden on small business and on roads, which are literally falling apart beneath our tires. I don’t agree with everything in this Bill. You don’t agree with everything in this Bill. But, if we are not willing to take it up - if we are not willing to fight to repair the infrastructure in the State, we have problems. Ten years down the road our kids and grand kids will say, “where were you?”

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

**Motion Adopted**

Senator PEELER moved to dispense with the balance of the Motion Period.

Senator GROOMS moved to table the motion to dispense with the balance of the motion period.

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

**Ayes 9; Nays 32**

**AYES**

Bright Bryant Campsen

Corbin Cromer Grooms

Lourie Shealy Verdin

**Total--9**

**NAYS**

Alexander Allen Bennett

Cleary Coleman Courson

Davis Fair Gregory

Hayes Hembree Hutto

Jackson Johnson Leatherman

Malloy *Martin, Larry* Massey

Matthews McElveen McGill

Nicholson O'Dell Peeler

Rankin Reese Scott

Setzler Sheheen Thurmond

Turner Young

**Total--32**

The Senate refused to table the motion to dispense the balance of the motion period.

**MOTION ADOPTED**

At 1:05 P.M., on motion of Senator PEELER, the Senate agreed to dispense with the balance of the Motion Period.

**Expression of Personal Interest**

Senator CORBIN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator CROMER rose for an Expression of Personal Interest.

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

**CONCURRENCE IN HOUSE AMENDMENTS**

H. 4395 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF UNITED STATES HIGHWAY 601 AND REYNOLDS ROAD IN THE TOWN OF EASTOVER IN HONOR OF ELIZABETH WORKMAN DEVEAUX, AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS INTERSECTION THAT CONTAIN THE WORDS “ELIZABETH WORKMAN DEVEAUX INTERSECTION”.

The House returned the Concurrent Resoluton with amendments, the question being concurrence in the House amendments.

Senator JACKSON explained the amendments.

The Senate concurred in the House amendments, and a message was sent to the House accordingly.

**Motion Adopted**

On motion of Senator COURSON, the Senate stood adjourned.

**ADJOURNMENT**

At 1:15 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

**Recorded Vote**

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

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