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**Wednesday, May 18, 2016**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

We find Paul affirming in his letter to believers in Philippi that:

“I can do everything through him who gives me strength.”

(Philippians 4:13)

Let us pray:

Blessed Lord, with only eight regular session days remaining for this Senate to address matters of all sorts, we pray that You will hold each one of these servants warmly in Your holy embrace. Regardless of how formidably certain issues continue to loom over this Chamber, allow each Senator and every staff member to draw strength from Your Spirit’s grace, giving them a vision of what they can still accomplish for the benefit of all South Carolinians. As always, O God, be with and bless our first responders here at home and everyone who works diligently for peace wherever they serve around the globe. All this we pray in Your wondrous name, O Lord. Amen.

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

**Point of Quorum**

At 2:09 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Davis Fair Grooms

Hutto Kimpson Leatherman

Malloy *Martin, Larry Martin, Shane*

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Massey *Matthews, Margie* Nicholson

Peeler Rankin Scott

Setzler Shealy Sheheen

Thurmond Turner Young

A quorum being present, the Senate resumed.

**Privilege of the Chamber**

    On motion of Senator BRYANT, on behalf of Senator FAIR, the Privilege of the Chamber, to that area behind the rail, was extended to Mr. Harry W. Davis, Jr. upon the occasion of his retirement from the Children’s Law Center.

**Doctor of the Day**

Senator SETZLER introduced Dr. Michael Ervin of West Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 2:48 P.M., Senator HEMBREE requested a leave of absence for Senator GREGORY until 4:00 P.M.

**Leave of Absence**

At 3:54 P.M., Senator ALEXANDER requested a leave of absence for Senator CROMER for Wednesday, May 18, 2016, and Thursday, May 19, 2016.

**Leave of Absence**

At 4:36 P.M., Senator SETZLER requested a leave of absence for Senator JOHN MATTHEWS for the day.

**Leave of Absence**

At 5:29 P.M., Senator LARRY MARTIN requested a leave of absence for Senator HAYES for the balance of the day.

**Leave of Absence**

At 5:29 P.M., Senator LARRY MARTIN requested a leave of absence for Senator FAIR until 6:45 P.M.

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**Leave of Absence**

At 5:29 P.M., Senator HEMBREE requested a leave of absence for Senator RANKIN for the balance of the day.

**Leave of Absence**

At 5:33 P.M., Senator COURSON requested a leave of absence beginning at 6:00 P.M. until Thursday, May 18, 2016, at 11:00 A.M.

**Leave of Absence**

At 6:12 P.M., Senator SETZLER requested a leave of absence for Senator REESE for the balance of the day.

**Leave of Absence**

At 6:12 P.M., Senator SETZLER requested a leave of absence for Senator NICHOLSON for the balance of the day.

**Leave of Absence**

At 6:13 P.M., Senator PEELER requested a leave of absence for Thursday, May 19, 2016.

**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

**Remarks by Senator DAVIS**

Mr. PRESIDENT, I would ask Senator BRYANT to join me. Today’s story regarding medical marijuana and the impact that the inability for doctors to prescribe it has on the lives of South Carolinians, comes from Senator BRYANT’s district, Bill Davis. This is Bill Davis’ story from Townville, South Carolina:

“In April of 2015, I was diagnosed with Idiopathic Pulmonary Fibrosis, IPF. Medically speaking, IPF is a disease in which the lung tissue becomes thick, stiff and often scarred. Basically your lungs are crystalizing. Normally the disease is caused by smoking or being exposed to breathing chemicals such as from a work environment. I have never smoked and was raised in a smoke free environment. I was never exposed to hazardous chemicals as far as I know.

It was medically determined that my case was basically incurable and terminal within a few years at the most. I was placed on a newly approved drug, Esbriet, and was told it might prolong my life but certainly would not improve my standard of living or cure the disease, and the known side effects were very concerning. By September 2015,

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I had reached a point where daily activities were very difficult, and I realized the disease had progressed rapidly. I had great difficulty walking the 60 yards to my mailbox to get our newspaper. I had quit all yard work and did not even dare hunt or fish. I began to lose control of some bodily functions including my bladder on occasions. Diarrhea and abdominal pain had reached such a point that Hydrocodone and Hyoscyamine were needed to get me through what quality of life I had. Both of these narcotics are taken from the codeine/opium family derived from the poppy plant. Kaopectate had become my drink of choice. My life was becoming extremely painful, non-productive and often humiliating.

At my own decision, I started using Cannabis oil high in CBD. Soon at the direction of a medical doctor, I also began vaping marijuana at temperature that was suggested to provide a high concentrate of CBD properties and lower hallucinogenic properties, THC. The THC was still part of the treatment but not at a level where I felt its influence or was impaired.

At the doctor’s direction, I began monitoring my results with a peak flow meter. Very soon, the results became astounding. I met with the pulmonary fibrosis department at Emory Medical University in Atlanta to discuss my case. The staff at Emory performed their own test and compared them with my personal test results and those taken at our local hospital system. They used what the test revealed when I was first diagnosed as a comparison. They were amazed at the results and took me off all pharmaceutical medication and told me to “continue what you are doing.” Six weeks later I was tested again. It was found my lung function had continued to improve with only the use of marijuana. Another later lung function test revealed my lungs were almost within the normal range of a man my age without a lung disease, not the lungs of a man soon to die with a lung disease. Before marijuana I could scarcely walk 60 yards; now I can walk several miles at a time. I recently pressure washed my house, and I again do all my own yard work. Before marijuana I was spending close to $8,000 per month on various prescribed narcotic drugs. Today I am off all pharmaceutical drugs except one Nexium per day for indigestion.

My concern is not only with the fact that I am preserving my own life in what most of our society would deem an illegal practice; but through the use of cannabis/marijuana there may be thousands of others whose quality of life could be greatly improved or they may be spared the painful death IPF or other such diseases. Here, I would like to pause in my story and ask you to think of someone you love very dearly. What

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would you do to save their life? What would you do to save your own life, especially if you could save a life or spare someone from undo suffering merely by way of using a natural plant that God created? As in most things in life, be it money, prestige, alcohol, marijuana or other such self-indulgencies, it is the human race that has misused these things. Such action has influenced society to characterize marijuana as detrimental to all. Should we outlaw or make illegal all things society has misused?

Through the years I have remained as active as possible--working 50+ hours a week, exercising, spending cherished time with my wife and sharing many experiences with loved ones. I enjoy yard work, hunting and fishing when my busy schedule allows. My wife and I are involved in full- time Christian ministry work. We conduct Bible studies and mentor students from a Christian University. I teach Bible at a center for women struggling with alcohol and drug addictions. I have a published book that I have taught from and distributed to men at another center who are fighting similar addictions. I know firsthand the destruction alcohol and other such drugs can inflict on a family. I have been anti-drugs all my life and have worked in the ministerial field and with law enforcement to help eradicate this destructive evil.

God has called me to share my story, and is opening a door for me that I am hesitant to travel through, but know I must go in order to help others. We as Christians are called to walk by faith, not by sight, and I believe that God will not open a door that would require compromise or disobedience to His law for you to enter. We must be cautious that God’s law is not compromised by man’s law; however, we must all be willing to rise above our own concerns and limitations and look to the higher benefit of others and God’s will. If God presents you an opportunity and opens a door, would you walk through it no matter what?

There comes a time when we must squelch the fear inside and take a stand and be recognized. A time when we must be seen not only through the eyes of those who approve or support us but through the veil of the preconceived ideas of those waiting to condemn us. We must be heard not only by those eager for our message but we must speak loudly enough to be heard above the racket of the sneering throng. We must be willing to be politically incorrect and unpopular as we speak the truth. No matter what action we choose or what path we trod, our efforts should be to uplift the needs of others even to raising them above our own. I am willing to sacrifice my own fate as one individual when this one individual could possibly help maintain the dignity and well-being of

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many. Thank you for your time, interest and consideration on this far reaching subject. I remain a grateful and dedicated South Carolinian.”

I just want to add as a personal note as I wrap up, I commend Mr. Bill Davis for sharing this story, for talking about the effects that marijuana has had on his condition, and for stepping forward and making himself public. It is an act of courage. But I believe that by sharing these stories, and as awareness grows, hearts and minds will change, and that we will allow in South Carolina doctors to prescribe for their patients medications that they have determined are in their best interests. I thank you for your attention.

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

**Expression of Personal Interest**

Senator M.B. MATTHEWS rose for an Expression of Personal Interest.

**Privilege of the Chamber**

    On motion of Senator BRYANT, on behalf of Senator BRIGHT, the Privilege of the Chamber, to that area behind the rail, was extended to Mr. Hal “Ondra” Black upon the occasion of his retirement.

**Expression of Personal Interest**

Senator LARRY MARTIN rose for an Expression of Personal Interest.

**ACTING PRESIDENT PRESIDES**

Senator ALEXANDER assumed the Chair.

**PRESIDENT PRESIDES**

At 3:20 P.M., the PRESIDENT assumed the Chair.

**RECALLED**

S. 1262 -- Senator Alexander: A BILL TO AMEND SECTION 59‑40‑50 OF THE 1976 CODE, RELATING TO POWERS AND DUTIES OF CHARTER SCHOOLS, TO ADD PROVISIONS CONCERNING CHARTER SCHOOLS DESIGNATED AS ALTERNATIVE EDUCATION CAMPUSES AND EDUCATIONALLY DISADVANTAGED STUDENTS; AND TO AMEND SECTION 59‑40‑111, RELATING TO CHARTER

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SCHOOLS DESIGNATED AS ALTERNATIVE EDUCATION CAMPUSES, TO REVISE CRITERIA FOR THIS DESIGNATION TO INCLUDE SCHOOLS WITH FIFTY PERCENT OR MORE OF STUDENTS HAVING DEMONSTRATED NEEDS FOR CERTAIN SPECIALIZED INSTRUCTION RELATED TO LITERACY, AND TO REVISE CONSIDERATIONS OF CERTAIN DATA THAT MUST BE MADE WHEN MEASURING THE PERFORMANCE OF A CHARTER SCHOOL IN MEETING CERTAIN STATE AND FEDERAL ACCOUNTABILITY STANDARDS.

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

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

**RECALLED**

H. 5299 -- Reps. G.M. Smith, J.E. Smith, Herbkersman, Huggins, Merrill, Anderson, Spires, McCoy, Limehouse, Collins, Stavrinakis, Bernstein, Riley, Bannister, Finlay, Weeks, Bingham, Rutherford, Kennedy, Newton, Horne, Cole, Jefferson, Williams and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑445 SO AS TO GIVE THE GOVERNOR AUTHORITY IN TIMES OF EMERGENCY TO MAKE CERTAIN ACCOMMODATIONS FOR A PERSON TRANSPORTING GOODS, AND TO PROVIDE FOR A CERTIFICATION SYSTEM.

Senator SHANE MARTIN asked unanimous consent to make a motion to recall the Bill from the General Committee.

The Bill was recalled from the General Committee and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

S. 1307 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF U.S. HIGHWAY 76 FROM THE TIMMONSVILLE CITY LIMIT TO ITS INTERSECTION WITH INTERSTATE 95 THE “REVEREND DR. HENRY B. PEOPLES HIGHWAY” AND ERECT APPROPRIATE MARKERS AND SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

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

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1317 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. LINDA VELDHEER FOR HER DISTINGUISHED CAREER AND CONTRIBUTIONS TO PERSONS WITH TRAUMATIC BRAIN INJURY THROUGHOUT THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1318 -- Senators Fair and Bright: A JOINT RESOLUTION TO PROVIDE THAT AN EXECUTIVE ORDER OF THE UNITED STATES FEDERAL GOVERNMENT THAT DIRECTS OR HAS THE PRACTICAL EFFECT OF FORCING PUBLIC SCHOOLS IN THIS STATE TO ENGAGE IN CONDUCT CONCERNING THE PERSONHOOD OR GENDER IDENTITY OF ITS STUDENTS OR FACE SANCTIONS CONSTITUTES A VIOLATION OF THE TENTH AMENDMENT OF THE UNITED STATES CONSTITUTION AND, ACCORDINGLY, HAS NO LEGAL EFFECT, MUST BE DISREGARDED BY PUBLIC OFFICIALS IN THIS STATE, AND MAY NOT BE ADHERED TO OR IMPLEMENTED BY THE PUBLIC SCHOOLS IN THIS STATE; AND TO MAKE THE PROVISIONS EXPIRE JULY 1, 2021.

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

S. 1319 -- Senators Jackson, Lourie, Johnson, Williams, Bright, Hutto, Nicholson, Shealy, M. B. Matthews, Sabb, Alexander, Thurmond, Fair and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "REVENGE PORN ACT" BY ADDING SECTION 16-15-260 SO AS TO CREATE THE OFFENSE OF UNLAWFUL DISSEMINATION OF SEXUALLY

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EXPLICIT MATERIALS WITHOUT CONSENT OF THE PERSON DEPICTED, AND TO PROVIDE A PENALTY.

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

S. 1320 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO LIQUEFIED PETROLEUM (LP) GAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4622, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1321 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL CODES AND NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4602, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1322 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT TRUST FUND SOLVENCY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4645, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

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S. 1323 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4624, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1324 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - RESIDENTIAL BUILDERS COMMISSION, RELATING TO RESIDENTIAL SPECIALTY CONTRACTORS LICENSE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4630, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1325 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 43 TO TITLE 33 SO AS TO PROVIDE FOR THE MANNER, PROCEDURES, AND REQUIREMENTS BY OR UNDER WHICH NONPROFIT LIMITED LIABILITY COMPANIES MAY BE FORMED IN SOUTH CAROLINA.

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

S. 1326 -- Senators Young, Setzler and Massey: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE SUE H. ROE, PROBATE JUDGE FOR AIKEN COUNTY, UPON THE OCCASION OF HER RETIREMENT FROM THE BENCH AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

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S. 1327 -- Senators Young, Setzler and Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. SUSAN WINSOR UPON THE OCCASION OF HER RETIREMENT AS PRESIDENT OF AIKEN TECHNICAL COLLEGE AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

H. 3133 -- Reps. Rutherford, G. R. Smith and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-462 SO AS TO PROVIDE THAT A COUNTY SOLICITOR MUST PETITION THE FAMILY COURT TO REQUIRE A PERSON TO CONTINUE TO REGISTER AS A SEX OFFENDER WHO IS A REGISTERED JUVENILE SEX OFFENDER, WHO IS AT LEAST TWENTY-ONE YEARS OF AGE, OR HAS BEEN RELEASED FROM THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE, TO PROVIDE THAT THE PERSON MUST CONTINUE TO REGISTER AS A SEX OFFENDER IF THE FAMILY COURT DETERMINES THAT HE IS LIKELY TO OR POSES AN ONGOING THREAT TO THE PUBLIC, AND TO PROVIDE THAT IF NO PETITION IS FILED WITHIN NINETY DAYS FOLLOWING THE TWENTY-FIRST BIRTHDAY OF THE PERSON OR THE DATE OF HIS RELEASE FROM CUSTODY, OR IF THE FAMILY COURT DETERMINES THAT THE PERSON IS NOT LIKELY TO OR DOES NOT POSE A THREAT TO THE PUBLIC, THEN THE PERSON IS NO LONGER REQUIRED TO REGISTER AS A SEX OFFENDER AND HIS INFORMATION MUST BE DELETED FROM THE SEX OFFENDER REGISTRY.

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

H. 5244 -- Reps. Alexander and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF PINE STREET (STATE ROAD S-21-1380) FROM ITS INTERSECTION WITH SOUTH CHURCH STREET TO ITS INTERSECTION WITH SOUTH JEFFORDS STREET IN THE CITY OF FLORENCE "EDWARD 'ED'

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ROBINSON WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THIS DESIGNATION.

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

H. 5337 -- Reps. Ballentine, Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE DUTCH FORK HIGH SCHOOL BOYS TRACK TEAM FOR WINNING THE 2016 CLASS AAAA STATE CHAMPIONSHIP TITLE AND TO COMMEND THE TEAM'S OUTSTANDING ATHLETES AND COACHES.

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

H. 5338 -- Reps. Ott, Hart, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe,

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Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. STEVE A. WILSON, SUPERINTENDENT OF THE CALHOUN COUNTY PUBLIC SCHOOLS, FOR HIS OUTSTANDING CONTRIBUTIONS TO THE PUBLIC SCHOOLS OF SOUTH CAROLINA AND TO CONGRATULATE HIM ON BEING NAMED 2017 SOUTH CAROLINA SUPERINTENDENT OF THE YEAR.

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

H. 5339 -- Reps. Huggins, Ballentine, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE CHAPIN HIGH SCHOOL GIRLS VARSITY SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXCEPTIONAL SEASON AND TO CONGRATULATE THEM FOR CAPTURING THE 2016 SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP TITLE.

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

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H. 5341 -- Rep. Horne: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR B. SMITH, RESTAURATEUR, MAGAZINE PUBLISHER, CELEBRITY CHEF, AND NATIONALLY KNOWN LIFESTYLE MAVEN; AND HER HUSBAND, DAN GASBY, TELEVISION MEDIA SALES EXECUTIVE, TELEVISION PRODUCER, AND COFOUNDER OF THE B. SMITH RETAIL BRAND, FOR THEIR PROFOUND WORK ENTITLED BEFORE I FORGET.

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

H. 5342 -- Reps. Govan, Jefferson, Hosey, Cobb-Hunter, Ott, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Howard, Huggins, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE CLAFLIN UNIVERSITY BASEBALL TEAM FOR AN EXCEPTIONAL SEASON AND TO CONGRATULATE THE PLAYERS AND COACHES ON CAPTURING THE 2016 SOUTHERN INTERCOLLEGIATE ATHLETIC CONFERENCE CHAMPIONSHIP TITLE.

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

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H. 5343 -- Reps. Huggins, Ballentine, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE CHAPIN HIGH SCHOOL BOYS VARSITY SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2016 SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP TITLE.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 1223 -- Senator Shealy: A CONCURRENT RESOLUTION TO PROCLAIM MAY 2016 AS “MOTORCYCLE SAFETY AWARENESS MONTH” THROUGHOUT THE STATE, TO ENCOURAGE ALL SOUTH CAROLINIANS TO BE AWARE OF MOTORCYCLISTS WHO SHARE OUR ROADS AND HIGHWAYS, AND TO URGE ALL CITIZENS TO WORK TOGETHER TO REDUCE MOTORCYCLE‑RELATED CRASHES, INJURIES, AND FATALITIES.

Ordered for consideration tomorrow.

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Senator YOUNG from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4339 -- Reps. Kennedy, McCoy, Quinn, Atwater, Delleney and Weeks: A BILL TO AMEND SECTION 14‑7‑1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LEGISLATIVE FINDINGS CONCERNING THE STATE GRAND JURY SYSTEM, SO AS TO PROVIDE ADDITIONAL FINDINGS CONCERNING CERTAIN CRIMES INVOLVING INSURANCE FRAUD; TO AMEND SECTION 14‑7‑1630, AS AMENDED, RELATING TO THE SUBJECT MATTER JURISDICTION OF THE STATE GRAND JURY, SO AS TO INCLUDE CERTAIN CRIMES INVOLVING INSURANCE FRAUD; TO AMEND SECTION 38‑55‑170, RELATING TO CRIMES AND PENALTIES FOR PRESENTING FALSE CLAIMS FOR PAYMENT TO AN INSURER TRANSACTING IN THIS STATE, SO AS TO PROVIDE FOR THE SUSPENSION OF THE DRIVING PRIVILEGES OF A PERSON FOUND ON THE RECORD BY THE COURT OF HAVING CARELESSLY OR RECKLESSLY OPERATED A MOTOR VEHICLE IN THE COMMISSION OF SUCH A VIOLATION AND TO SUBJECT THE DRIVER’S MOTOR VEHICLE AND RELATED PROPERTY USED IN THE COMMISSION OF THE VIOLATION TO FORFEITURE; TO AMEND SECTION 38‑55‑540, RELATING TO CRIMES AND PENALTIES FOR MAKING FALSE STATEMENTS OF MISREPRESENTATION IN VIOLATION OF THE INSURANCE FRAUD AND REPORTING IMMUNITY ACT, SO AS TO REVISE CRITERIA FOR VARIOUS PENALTIES, AND TO PROVIDE FOR THE SUSPENSION OF THE DRIVING PRIVILEGES OF A PERSON FOUND ON THE RECORD BY THE COURT OF HAVING CARELESSLY OR RECKLESSLY OPERATED A MOTOR VEHICLE IN THE COMMISSION OF SUCH A VIOLATION AND SUBJECT THE DRIVER’S MOTOR VEHICLE AND RELATED PROPERTY USED IN THE COMMISSION OF THE VIOLATION TO FORFEITURE; AND TO AMEND SECTION 56‑1‑146, RELATING TO SURRENDER OF DRIVERS LICENSES BY PEOPLE CONVICTED OF CERTAIN CRIMES, SO AS TO INCLUDE THE CRIME OF INSURANCE FRAUD.

Ordered for consideration tomorrow.

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Senator GREGORY from the Committee on Judiciary submitted a majority favorable with amendment and Senator KIMPSON a minority unfavorable report on:

H. 4398 -- Reps. Clemmons, Yow, Burns, Pitts, McCoy and Hicks: A BILL TO AMEND SECTION 15‑41‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY EXEMPT FROM BANKRUPTCY PROCEEDINGS OR ATTACHMENT, LEVY, AND SALE, SO AS TO EXEMPT THREE FIREARMS OF ANY VALUE AND ONE THOUSAND ROUNDS OF AMMUNITION FOR EACH FIREARM OWNED BY THE DEBTOR.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4577 -- Reps. White, Bales, Merrill, D.C. Moss, G.R. Smith and Cobb‑Hunter: A BILL TO AMEND SECTION 12‑37‑2460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREDITING OF AIRCRAFT PROPERTY TAXES, SO AS TO CREDIT THE PROCEEDS OF THE TAX TO THE STATE AVIATION FUND; AND TO AMEND SECTION 55‑5‑280, AS AMENDED, RELATING TO THE STATE AVIATION FUND, SO AS TO MAKE A CONFORMING CHANGE.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4579 -- Reps. Pope, Lucas, Delleney, Simrill, Bales, Clyburn, Hosey, Tallon, Henderson, Felder and W.J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑3‑125 SO AS TO PROVIDE THAT IN THE CASE OF A VACANCY IN THE OFFICE OF LIEUTENANT GOVERNOR, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR TO FILL THE UNEXPIRED TERM; BY ADDING SECTION 7‑11‑12 SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION THE LIEUTENANT GOVERNOR AND GOVERNOR MUST BE JOINTLY ELECTED AND TO DELINEATE JOINT CANDIDACY PROCEDURES; TO AMEND SECTION 1‑3‑120, RELATING TO A VACANCY IN THE OFFICE OF BOTH GOVERNOR AND LIEUTENANT GOVERNOR, SO AS TO DELETE A REFERENCE TO PRESIDENT OF THE SENATE PRO TEMPORE;

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TO AMEND SECTION 1‑3‑620, RELATING TO THE OFFICE OF THE GOVERNOR TO BE PART TIME, SO AS TO PROVIDE THAT BEGINNING WITH THE LIEUTENANT GOVERNOR ELECTED IN THE 2018 GENERAL ELECTION, THE LIEUTENANT GOVERNOR SHALL PERFORM THE DUTIES PERTAINING TO THE OFFICE OF THE GOVERNOR WHICH ARE ASSIGNED BY THE GOVERNOR, EXCEPT WHEN OTHERWISE PROVIDED BY LAW; TO AMEND SECTION 1‑9‑30, RELATING TO EMERGENCY INTERIM SUCCESSORS TO THE OFFICE OF THE GOVERNOR, SO AS TO DELETE A REFERENCE TO PRESIDENT OF THE SENATE PRO TEMPORE; TO AMEND SECTION 1‑17‑20, RELATING TO THE COMMITTEE ON INTERSTATE COOPERATION OF THE SENATE, SO AS TO PROVIDE THAT BEGINNING WITH THE CONVENING OF THE GENERAL ASSEMBLY IN 2019, THE PRESIDENT OF THE SENATE MAY SERVE ON THE COMMITTEE EX OFFICIO; TO AMEND SECTION 1‑23‑125, AS AMENDED, RELATING TO THE APPROVAL, DISAPPROVAL, AND MODIFICATION OF REGULATIONS, SO AS TO REPLACE THE TERM “LIEUTENANT GOVERNOR” WITH “PRESIDENT OF THE SENATE”; TO AMEND SECTION 2‑3‑30, RELATING TO SUBSISTENCE EXPENSES FOR MEMBERS AND THE LIEUTENANT GOVERNOR ON LEGISLATIVE DAYS, SO AS TO ELIMINATE THE LIEUTENANT GOVERNOR’S ELIGIBILITY FOR A SUBSISTENCE ALLOWANCE; TO AMEND SECTION 2‑3‑90, RELATING TO THE ELECTION OF READING CLERKS, SERGEANTS AT ARMS, AND ASSISTANT SERGEANTS AT ARMS, SO AS TO REPLACE THE TERM “LIEUTENANT GOVERNOR” WITH “PRESIDENT OF THE SENATE”; TO AMEND SECTION 7‑11‑30, AS AMENDED, RELATING TO CONVENTION NOMINATION OF CANDIDATES, SO AS TO REMOVE A REFERENCE TO “LIEUTENANT GOVERNOR”; TO AMEND SECTION 7‑17‑10, AS AMENDED, RELATING TO THE MEETING AND ORGANIZATION OF COUNTY BOARDS OF CANVASSERS, SO AS TO REMOVE A REFERENCE TO THE “LIEUTENANT GOVERNOR”; TO AMEND SECTION 10‑1‑40, RELATING TO THE STATE HOUSE COMMITTEE, SO AS TO REPLACE THE “LIEUTENANT GOVERNOR” AS THE APPOINTING AUTHORITY FOR THE SENATE WITH THE “PRESIDENT OF THE SENATE”; TO AMEND SECTIONS 14‑27‑20, 14‑27‑30, AND 14‑27‑40, ALL AS AMENDED, ALL RELATING TO THE JUDICIAL COUNCIL OF THE STATE OF

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SOUTH CAROLINA, SO AS TO REPLACE REFERENCES TO THE “LIEUTENANT GOVERNOR” WITH “PRESIDENT OF THE SENATE”; AND TO AMEND SECTION 14‑27‑80, RELATING TO THE DUTIES OF CERTAIN MEMBERS OF THE JUDICIAL COUNCIL OF THE STATE OF SOUTH CAROLINA, SO AS TO REPLACE THE TERM “LIEUTENANT GOVERNOR” WITH “PRESIDENT OF THE SENATE”.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 4762 -- Reps. Anthony, Yow and W.J. McLeod: A BILL TO AMEND SECTION 6‑1‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION ON MILLAGE RATE INCREASES AND EXCEPTIONS TO THIS LIMITATION, SO AS TO REVISE THE EXCEPTION TO THIS LIMITATION FOR THE PURCHASE OF CAPITAL EQUIPMENT AND OTHER EXPENDITURES IN A COUNTY HAVING A POPULATION OF LESS THAN ONE HUNDRED THOUSAND PERSONS AND HAVING AT LEAST FORTY THOUSAND ACRES OF STATE FOREST LAND BY CHANGING THE TERM “STATE FOREST LAND” IN THIS EXCEPTION TO THE TERM “STATE OR NATIONAL FOREST LAND”.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4763 -- Reps. Pope, D.C. Moss, Yow, Hardee, Duckworth, Johnson, Goldfinch, Southard, Long, Felder, Taylor, George, Simrill, Jordan, Chumley, Clemmons, Sandifer, Wells, Whitmire, Funderburk and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑7‑180 SO AS TO CREATE THE INTERNET CRIMES AGAINST CHILDREN FUND TO INVESTIGATE, PROSECUTE, AND PREVENT INTERNET CRIMES AGAINST CHILDREN; AND TO AMEND SECTIONS 14‑1‑206, 14‑1‑207, AND 14‑1‑208, ALL AS AMENDED, ALL RELATING TO ADDITIONAL ASSESSMENTS IMPOSED BY CERTAIN COURTS, SO AS TO REVISE THE AMOUNT OF AN ASSESSMENT THAT A PERSON MUST PAY.

Ordered for consideration tomorrow.

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Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 4765 -- Reps. G.R. Smith, Parks, D.C. Moss, Cobb‑Hunter, Jefferson, Duckworth, Daning, Kirby, R.L. Brown, Burns, Douglas, Brannon, Anthony, Mitchell, Ridgeway, Robinson‑Simpson, Clyburn, Ryhal, Johnson, Yow, G.A. Brown, Riley, Taylor, Limehouse, Williams, Simrill, Bedingfield, Chumley, Dillard, Herbkersman, Hicks, Hill, Loftis, Long, V.S. Moss, Pope, Rivers, Thayer, Wells, Crosby and King: A BILL TO AMEND SECTION 12‑6‑5060, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD HABITAT FOR HUMANITY.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Judiciary submitted a favorable report on:

H. 4878 -- Reps. Tallon, Allison, Bales, Anthony, Burns, Kennedy, Quinn, Chumley, Clary, Gagnon, Hixon and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑85 SO AS TO PROVIDE THAT COMMUNICATIONS BETWEEN A CLIENT AND ANY MEMBER OF A PEER‑SUPPORT TEAM SHALL BE CONFIDENTIAL AND PRIVILEGED UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 5034 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑21‑4320 SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO ESTABLISH AN INFORMATIONAL CHARITABLE BINGO WEBPAGE ON ITS WEBSITE; TO AMEND SECTION 12‑21‑3920, RELATING TO DEFINITIONS FOR PURPOSES OF THE BINGO TAX ACT, SO AS TO REDEFINE “BUILDING”; TO AMEND SECTION 12‑21‑3940, RELATING TO APPLICATIONS FOR A BINGO LICENSE BY NONPROFIT ORGANIZATIONS AND PROMOTERS, SO AS TO EXTEND THE TIME BY WHICH THE DEPARTMENT MUST RESPOND; TO AMEND SECTION 12‑21‑3990, RELATING TO THE MANNER OF PLAYING BINGO, SO AS TO PROVIDE THE MANNER IN WHICH CERTAIN

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DEVICES MUST BE OPERATED; TO AMEND SECTION 12‑21‑4000, RELATING TO PROCEDURES APPLICABLE TO THE CONDUCT OF BINGO, SO AS TO INCREASE THE ALLOWANCE FOR PROMOTIONS; TO AMEND SECTION 12‑21‑4005, RELATING TO THE OPERATION OF BINGO GAMES, SO AS TO EXCLUDE CERTAIN RAFFLES; TO AMEND SECTION 12‑21‑4090, RELATING TO BINGO CHECKING AND SAVINGS ACCOUNTS, SO AS TO ALLOW THE PROMOTER TO MAKE CERTAIN CONTRIBUTIONS AND TO ALLOW FOR ELECTRONIC PAYMENTS; AND TO AMEND SECTION 12‑21‑4190 RELATING TO THE DISTRIBUTION OF BINGO REVENUES, SO TO INCREASE THE PERCENTAGE THAT IS DISTRIBUTED TO CHARITY.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 5078 -- Reps. White and Cobb‑Hunter: A BILL TO AMEND SECTION 4‑10‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VARIOUS LOCAL SALES AND USE TAXES, SO AS TO DEFINE “GENERAL ELECTION”; TO AMEND SECTIONS 4‑10‑330 AND 4‑10‑340, BOTH AS AMENDED, RELATING TO THE CAPITAL PROJECTS SALES TAX ACT, SO AS TO PROVIDE THAT THE TAX MUST TERMINATE ON APRIL THIRTIETH OF AN ODD‑ OR EVEN‑NUMBERED YEAR.

Ordered for consideration tomorrow.

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

H. 5089 -- Rep. Daning: A BILL TO AMEND SECTION 56‑19‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTEREST IN MOTOR VEHICLES, SO AS TO ADD ADDITIONAL TERMS AND THEIR DEFINITIONS TO THIS SECTION; AND TO AMEND SECTION 56‑19‑265, AS AMENDED, RELATING TO LIENS RECORDED AGAINST MOTOR VEHICLES AND MOBILE HOMES, SO AS TO PROVIDE THAT A LIEN OR ENCUMBRANCE ON A MOTOR VEHICLE OR TITLED MOBILE HOME MUST BE NOTED ON THE PRINTED TITLE OR ELECTRONICALLY THROUGH THE DEPARTMENT OF MOTOR VEHICLES’ ELECTRONIC TITLE

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AND LIEN SYSTEM, TO PROVIDE THAT THE TRANSMITTAL MUST BE DONE ELECTRONICALLY FOR BUSINESS ENTITIES, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT BUSINESS ENTITIES ARE SUBJECT TO CERTAIN FEES, TO PROVIDE THAT THE TRANSMITTAL AND RETRIEVAL OF DATA FEES ARE “OFFICIAL FEES”, TO PROVIDE THAT CERTAIN BUSINESSES AND COMMERCIAL LIENHOLDERS MUST UTILIZE THE ELECTRONIC LIEN SYSTEM TO TRANSMIT AND RECEIVE ELECTRONIC LIEN INFORMATION, TO PROVIDE THE EFFECTIVE DATE AND LAPSE DATE FOR CERTAIN LIENS, TO PROVIDE THAT THE DEPARTMENT SHALL PUBLISH FORMS FOR THE PURPOSE OF FILING A LIEN CONTINUATION STATEMENT, AND TO PROVIDE THE PROCESS FOR FILING A LIEN CONTINUATION STATEMENT AND THE PERIOD FOR WHICH THE LIEN REMAINS IN EFFECT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 5119 -- Reps. Goldfinch, Putnam, Clemmons, Quinn, Fry, H.A. Crawford, Johnson, Burns, Collins, Merrill, Yow, Hamilton, McCoy, Jordan, Robinson‑Simpson, Finlay, Kennedy, Spires, Ballentine, Bannister, Bedingfield, R.L. Brown, Delleney, Dillard, Duckworth, Felder, Funderburk, Gambrell, Hardee, Henderson, Hill, Lowe, Lucas, D.C. Moss, Nanney, Pitts, Ryhal, Sandifer, G.R. Smith, J.E. Smith, Stringer, Toole, Williams and Willis: A BILL TO AMEND SECTION 12‑6‑1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO REQUIRE A MEMBER OF THE STATE GUARD TO COMPLETE A MINIMUM OF ONE HUNDRED NINETY‑TWO HOURS OF TRAINING OR DRILL EACH YEAR IN ORDER TO QUALIFY FOR THE DEDUCTION; TO AMEND SECTION 25‑1‑635, AS AMENDED, RELATING TO LEGAL ASSISTANCE SERVICES FOR GUARD MEMBERS AND IMMEDIATE FAMILY MEMBERS, SO AS TO AUTHORIZE SOUTH CAROLINA STATE GUARD JUDGE ADVOCATES TO PROVIDE THESE SERVICES AND TO INCLUDE THEM WITHIN THE PERSONAL LIABILITY EXEMPTION; TO AMEND SECTIONS 25‑3‑20 AND 25‑3‑130, BOTH RELATING TO THE GOVERNOR’S AUTHORITY TO CALL THE STATE GUARD INTO DUTY, SO AS TO CLARIFY THE CIRCUMSTANCES

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AUTHORIZING THE GOVERNOR TO CALL THE STATE GUARD INTO DUTY AND TO PROVIDE THAT CIRCUMSTANCES INVOLVING A NATURAL OR MANMADE DISASTER, EMERGENCY, OR EMERGENCY PREPAREDNESS MAY WARRANT CALLING THE STATE GUARD INTO SERVICE; AND TO AMEND SECTION 25‑3‑140, RELATING TO PAY OF STATE GUARD MEMBERS ON ACTIVE DUTY, SO AS TO PROVIDE THAT STATE GUARD MEMBERS MAY RECEIVE A DAILY STIPEND OR PER DIEM PAY FOR REASONABLE EXPENSES, OR BOTH, IF APPROVED BY THE ADJUTANT GENERAL.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 5245 -- Reps. Tallon, Bannister, J.E. Smith, Finlay, Anthony, Bernstein, Bales, Bingham, Clary, Cole, Delleney, Forrester, Henderson, Herbkersman, Pope, G.M. Smith and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑945 SO AS TO PROVIDE THAT A MANUFACTURER, BREWER, IMPORTER, OR RETAILER MAY OFFER OR SPONSOR CERTAIN COUPONS AND REBATES TO A CONSUMER FOR THE PURCHASE OF BEER, TO PROVIDE THAT A WHOLESALER IS PROHIBITED FROM PARTICIPATING IN THE PROCUREMENT, REDEMPTION, OR OTHER COSTS ASSOCIATED FOR ANY COUPON OR REBATE FOR BEER, AND TO PROVIDE THAT A BEER MANUFACTURER OR WHOLESALER IS PROHIBITED FROM OFFERING PAPER INSTANT REDEEMABLE COUPONS AND SCANBACK COUPONS FOR BEER IN THIS STATE.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 5270 -- Reps. Tallon, Bernstein and Pope: A BILL TO AMEND SECTION 8‑11‑83, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PAYROLL DEDUCTION FOR STATE EMPLOYEES’ ASSOCIATION DUES, SO AS TO ALLOW MEMBERSHIP DUES FOR THE SOCIETY OF FORMER AGENTS OF THE STATE LAW ENFORCEMENT DIVISION TO BE DEDUCTED FROM THE COMPENSATION OF STATE RETIREES AND PAID OVER TO THE ASSOCIATION IN THE SAME

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MANNER OTHER MEMBERSHIP DUES ARE DEDUCTED AND PAID.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2014, and to expire July 1, 2018

7th Congressional District:

Keith C. Hinson, 5 Nelson Ct., Myrtle Beach, SC 29572 *VICE* Randy Lowe

Received as information.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2016, and to expire July 1, 2020

4th Congressional District:

Norman F. Pulliam, Sr., 1145 Thornwood Dr., Spartanburg, SC 29302

Received as information.

Initial Appointment, Governing Board of Department of Natural Resources, with term coterminous with Governor

Chairman:

Cary L. Chastain, 180 Mary Ellen Dr., Charleston, SC 29403 *VICE* David Glenn McFadden

Received as information.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2016, and to expire July 1, 2020

6th Congressional District:

Cary L. Chastain, 180 Mary Ellen Drive, Charleston, SC 29403

Received as information.

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Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable report on:

**Statewide Appointment**

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2012, and to expire May 19, 2019

At-Large:

Stephen H. Mudge, Post Office Box 1918, Clemson, SC 29633 *VICE* Catherine Heigle

Received as information.

**Message from the House**

Columbia, S.C., May 17, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R.182, H. 4717 by a vote of 112 to 2:

(R182, H4717) -- Reps. White, Lucas, Hiott, Simrill, G.M. Smith, Lowe, Whitmire, Taylor, George, V.S. Moss, J.E. Smith, M.S. McLeod, Bowers, Corley, Parks, McKnight, Douglas, Knight, Erickson, Sandifer, Willis, Kirby, Clary, Cobb‑Hunter, Hardee, Duckworth, Johnson, Limehouse, Clyburn, Bales, Horne, Stavrinakis, Hayes, Yow, Neal, Kennedy, Newton, Tinkler, Riley, Howard, King, Henegan, Williams, Anthony, Clemmons, Crosby, Cole, Daning, Dillard, Forrester, Funderburk, Gambrell, Herbkersman, Hixon, Hosey, Loftis, Long, Pitts, Rivers, Rutherford, Ryhal, G.R. Smith, Wells, W.J. McLeod, Ridgeway, G.A. Brown, Bamberg, Hodges, Alexander, Thayer, McEachern, Gagnon, Whipper, R.L. Brown, Jefferson, Anderson, Spires and Hicks: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46‑1‑160 SO AS TO CREATE THE “SOUTH CAROLINA FARM AID FUND” TO ASSIST FARMERS WHO HAVE SUFFERED AT LEAST A FORTY PERCENT LOSS OF AGRICULTURAL COMMODITIES AS A RESULT OF THE OCTOBER 2015 FLOOD, TO PROVIDE THAT THE FUND MUST BE ADMINISTERED BY THE DEPARTMENT OF AGRICULTURE, TO CREATE A FARM AID ADVISORY BOARD TO MAKE RECOMMENDATIONS, TO SPECIFY ELIGIBILITY AND GRANT AMOUNTS, TO APPROPRIATE

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FUNDS FROM THE CAPITAL RESERVE FUND TO THE FUND, AND TO PROVIDE FOR THE DISSOLUTION OF THE FUND.

Very respectfully,

Speaker of the House

Received as information.

Senator LEATHERMAN asked unanimous consent to take the veto up for immediate consideration.

There was no objection.

May 16, 2016

The Honorable James H. Lucas

Speaker of the House of Representatives

Statehouse, Second Floor

Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House of Representatives,

Today, I am vetoing and returning without my approval R.182, H.4717 **because it is an unprecedented bailout for a single industry affected by last year’s flooding**. Farms, like any other small businesses, have access to public and private programs that help them access capital, recover from emergencies, and find markets for their goods. **Unlike most small businesses, farmers are eligible for federally subsidized insurance that covers up to 85% of their business losses with the taxpayer covering an average of 62% of the insurance premium costs.**

Supporters of this Bill have said that there is no way South Carolina’s farmers could have prepared for this flood and that they will not survive another year without a cash bailout. This is simply not true. Many federal resources are available to farmers year-round, while others were made available as a result of the flood.

Federal Support Available for Natural Disasters

Program Small Businesses Farmers

Disaster LoansSBA Disaster LoansFSA Disaster Loans

New Market AccessExport-Import BankMarket Access Program

Inventory and AssetsNational Flood Insurance ProgramUSDA Crop Insurance

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Insurance Premium Support---USDA Crop Insurance

Business Income---USDA Crop Insurance

Direct Cash Support---Farmer Commodity Program

In addition to these, farmers receive cash payments for commodity price supports – totaling over $27 million to South Carolina’s farmers since October of last year. **This Bill would give farmers an additional $40 million in cash payments other small businesses will never receive**.

Tens of thousands of South Carolinians were affected by this flood and have all started recovery in their own way, with the existing supports available from both the public and private sector. By any measure the current financial support we give to farmers is extraordinary, but a vocal industry has asked for more taxpayer dollars to bail them out. I urge you to reject this bailout and sustain my veto of H.4717.

My very best,

Nikki R. Haley

**VETO OVERRIDDEN**

(R182, H4717) -- Reps. White, Lucas, Hiott, Simrill, G.M. Smith, Lowe, Whitmire, Taylor, George, V.S. Moss, J.E. Smith, M.S. McLeod, Bowers, Corley, Parks, McKnight, Douglas, Knight, Erickson, Sandifer, Willis, Kirby, Clary, Cobb‑Hunter, Hardee, Duckworth, Johnson, Limehouse, Clyburn, Bales, Horne, Stavrinakis, Hayes, Yow, Neal, Kennedy, Newton, Tinkler, Riley, Howard, King, Henegan, Williams, Anthony, Clemmons, Crosby, Cole, Daning, Dillard, Forrester, Funderburk, Gambrell, Herbkersman, Hixon, Hosey, Loftis, Long, Pitts, Rivers, Rutherford, Ryhal, G.R. Smith, Wells, W.J. McLeod, Ridgeway, G.A. Brown, Bamberg, Hodges, Alexander, Thayer, McEachern, Gagnon, Whipper, R.L. Brown, Jefferson, Anderson, Spires and Hicks: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46‑1‑160 SO AS TO CREATE THE “SOUTH CAROLINA FARM AID FUND” TO ASSIST FARMERS WHO HAVE SUFFERED AT LEAST A FORTY PERCENT LOSS OF AGRICULTURAL COMMODITIES AS A RESULT OF THE OCTOBER 2015 FLOOD, TO PROVIDE THAT THE FUND MUST BE ADMINISTERED BY THE DEPARTMENT OF AGRICULTURE, TO CREATE A FARM AID ADVISORY BOARD TO MAKE RECOMMENDATIONS, TO SPECIFY

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ELIGIBILITY AND GRANT AMOUNTS, TO APPROPRIATE FUNDS FROM THE CAPITAL RESERVE FUND TO THE FUND, AND TO PROVIDE FOR THE DISSOLUTION OF THE FUND.

The veto of the Governor was taken up for immediate consideration.

Senator LEATHERMAN argued in favor of overriding the veto.

Senator SHANE MARTIN argued in favor of overriding the veto.

Senator COLEMAN argued in favor of overriding the veto.

Senator RANKIN argued in favor of overriding the veto.

Senator McELVEEN argued in favor of overriding the veto.

Senator SETZLER argued in favor of overriding the veto.

Senator DAVIS argued contra to overriding the veto.

Senator SCOTT argued in favor of overriding the veto.

Senator MALLOY argued in favor of overriding the veto.

Senator LEATHERMAN moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

**Ayes 39; Nays 3; Abstain 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Fair Gregory

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Nicholson

Peeler Rankin Reese

Sabb Scott Setzler  
Shealy Sheheen Thurmond

Turner Williams Young

**Total--39**

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**NAYS**

Bright Davis Grooms

**Total--3**

**ABSTAIN**

Verdin

**Total--1**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**Statement by Senators CROMER and JOHN MATTHEWS**

Had I been in the Chamber, I would have voted to override the veto on H. 4717.

**Remarks by Senator SHANE MARTIN**

Thank you, Mr. PRESIDENT, members of the Senate. I did not know I was going to be up here today. But, several months back when the flood happened and we were told that certain assistance would not be asked for by a certain agency, some farmers in my area asked what I thought was going to happen. They said, “The Pee Dee was hit hard.” I said, “Do you know where the Chairman of Finance is from? He is from the Pee Dee. The farmers will probably get their money at the end of the day. They will get some relief from this State House.”

I want to go back a few years when we were talking about roads. I will never forget -- I was up here as a conservative. I have waited and waited on some really good conservative vetoes coming from downstairs. Long wait -- and I was at the podium back when Senator BRIGHT and I were talking about roads; back before roads were popular to talk about. We put up amendments. I think Senator, we probably had twenty amendments to try and hit different levels. My floor leader, Senator Setzler, finally stood up and challenged me. He saw what I was doing. I was trying to pick levels of funding for the roads that might get a gubernatorial veto to where we could start sending some real money to the roads. Senator SETZLER asked me that question and chastised me a little bit. He saw what I was doing, that I was trying to get seventeen members. We got sixteen or seventeen votes on one thing and then as we fell off, we lost out. But, I was trying my best to get a level to get a

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gubernatorial veto so we could get some money for the roads. We didn’t get that veto.

So, now I want to talk a little bit about, I think it was mentioned here by the PRESIDENT *Pro Tem*, Senator LEATHERMAN, a minute ago‑-he talked about incentives for businesses. We have done a lot of that here in the Senate at the State House. I have agreed with some and some I have disagreed with but I have been consistent on what I agree and disagree with.

I want to talk about Volvo. We brought Volvo into this State. When the Governor wanted to bring Volvo in, I applaud her for a lot of the jobs she has helped bring to this State, but she wanted to do it without the help of the General Assembly. She wanted to bring them in and get their money in the form of a $123 million dollar bond. That’s borrowing money. Of that $123 million dollars, $54 million was to go to site preparation and $69 million was supposed to go for road and highway improvements. Now, without coming to the General Assembly, the Governor basically wanted to do an interest only loan with a balloon payment at the end. I like the people in the payday industry but what the Governor was trying to put this State through at the time was probably worse than a payday loan. Of that $123 million dollars, anybody have an idea how much interest would have been paid under her scenario? $87 million dollars! So, let’s put that in perspective. Let’s say somebody in here or somebody watching at home on TV or up in the balcony is going to buy a house for $123,000. Most of the time you will get a 15 year loan, 20 year loan, or a 30 year loan. But, the loan for Volvo initially was a 17 year payment. I had Senate Finance do some research for me today and they are really fast. So under normal circumstances, using 3% interest rate, you can get 3 1/4 to 3 1/2% interest on a house if you have decent credit. I’m going to break this down, instead of $123 million, I’m using $123,000. At 3% interest that would cost someone $768.00 a month and I used my own little engineering excel spreadsheet for this, I did not use staff. Now assuming that you have credit that is not that good, maybe you have to pay 5% interest and your payments are $892.00 a month. But, if you want to take the Governor’s route, you are going to pay almost 8% and your monthly payment is going to be almost $1,100.00 a month.

Once again, I did not realize that I was going to be talking about Senator LEATHERMAN. It’s kind of funny he came up in this situation. He is the one that said to this Body, “We’re not going to do that with the tax payer’s dollars. We’re not going to borrow $123 million dollars and pay back $87 million dollars in interest. We’re not going to do that!” So he helped put $70 million dollars surplus in the budget to make that a

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normal bond. A normal bond would have to do for the incentive for a company. Guess what the interest payments are that we are going to pay now instead of $87 million dollars? It is going to be $16 million dollars. So that is what, $71 million dollars savings? Had we followed the Governor’s plan, we would not have money to think about helping the farmers. But, Senator LEATHERMAN basically bailed her out on that. And bailed out the tax payer from having to pay back that $71 million dollars in interest over time. Interest that my kids would have to pay back.

Keeping things in perspective talking about that, I want to go back to the Budget and Control Board because they existed at one time, the five headed monster that people talked about. Back in February of 2011, on a 5-0 vote including our Governor, they gave the South Carolina Department Health and Human Services a $100 million dollar bail out. She asked for the whole amount which was $220+ million dollars but looking back at the minutes that I reviewed -- these are the minutes if anybody needs a copy -- once again, Senator LEATHERMAN amended the motion to give them the whole $200+ million dollars to only give them $100 million on that vote. They came back a month later and got their other $100 million dollars and our Treasurer was the only one to vote against it. So, I just want to point out some of the things that are forgotten. I am from the Upstate. We don’t have the big farms, not like they do in the Lowcountry. I have friends that are almost like family who live in Alcolu, South Carolina, and if my friend John Land was here, he would be at the podium today standing up for those folks. The hypocrisy just kills me. It just does! I did not want to stay up here and talk long but I am going to be proudly voting to override the veto.

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

**Remarks By Senator COLEMAN**

As a trial lawyer, and most of you who try cases will know what I am talking about, there is a theory or law called the “Golden Rule.” It mostly comes about during your closing statement. You cannot interject the jury as being the victim of a case. You cannot say think about if you all were in that automobile accident, or if your mother was the victim of that nursing home abuse. You cannot violate the “Golden Rule”, which is a very hard core procedural ruling in the practice of law when trying cases. But today I am going to violate that “Golden Rule.” I want to ask you

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all, each and every one of you, to put yourself in the farmers’ place in South Carolina. Think about what they do, think about how they toil in the sun, rain, and mud -- think about it. They borrow money in the springtime from a bank or wherever, to plant and to harvest, and hopefully it will rain enough so that they will get a good crop. They go in, they sell it -- the balance once they pay the debt off to the bank, and they put the balance in their pocket. Think about the year, 2015, they borrowed the money, planted mostly wheat, hay, beans, and peanuts. They had a debt for planting those crops, then in October the rain came, thank goodness the rain came -- a lot of the farmers said -- but they did not know that it was not going to stop. It rained and it rained and it rained. They could not harvest their crops and even though they could not harvest their crops, they couldn’t get back in to plant a lot of them in the springtime.

Thank goodness the federal government came up with some disaster relief for farmers. The Governor and other people drew down money to help the homeowners. They helped a lot of the homeowners with their contents, to repair their homes, to replace the inside of their homes. Six of the seven congressman asked the Governor to draw down the federal money for the farmers, and she elected not to do that.

Now put yourself in the place of the farmers at that point. Why are the farmers being abandoned? We didn’t pull down the federal money. The House started with the $40 million dollars that we are debating today. It passed in the House, passed in the Senate, then it goes to the Governor’s Office and she vetoes it. Think about how these farmers are thinking where the State of South Carolina stands shoulder to shoulder with the farmers of our State. I tell you what, they have reason to believe that the State is not standing behind them. But with a vote of 112 to 2 in the House and with our vote here, I think and hope that we will send a good strong message to the farmers that we stand with them and we are going to vote to override the Governor’s veto.

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

**Remarks by Senator SETZLER**

I stand to speak to you about an issue of major impact on the State of South Carolina. I chaired the subcommittee of the Senate Finance Committee that reviewed the Farm Aid Legislation. I, along with our subcommittee members, held a hearing on this legislation. We addressed concerns that were raised at that level. As the subcommittee chairman, I

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was responsible for helping shepherd this piece of legislation on the Senate Floor, and when concerns were raised relative to the financial aspects, I worked with the two Senators from Aiken and others to address those. In my opinion, this is sound legislation. It has gone through the process, it has been vetted, and it has safeguards for the people of South Carolina.

Now, I would like to talk about the farming community of South Carolina. Many of you think that I represent only an urban area, as I am referred to in the Senate as the Senator from Lexington. That is not correct. As a Senator, I have been privileged to represent both urban and rural areas in South Carolina. The first eight years of my service, I represented Lexington, Aiken, Bamberg, Barnwell and Edgefield counties with a total of about 300,000 people and including a large agricultural/agribusiness industry. One of the greatest things of our service is that we get to see and experience the lives of our constituents and what they do on a daily basis.

Agribusiness and farming is the biggest single industry in South Carolina. It represents $41 billion in economic impact for this State. The impact of the farming community stretches from the peach farmers in Edgefield and Lexington to the cotton farmers in Horry County to the farmers in the Pee Dee, the Upstate, and the Lowcountry. Many of our farmers were absolutely devastated by the flood of October 2015. I, along with the Commissioner of Agriculture, met with the farmers in the Hollow Creek section of Aiken County. I saw the pain in their eyes and listened to these stories of turning ruined crops over in the field. I heard them talking about losing equipment. It makes your heart break to hear these stories and see the devastation. They suffered $375 million in losses. $250 million of their losses are not covered and no one disputes that fact. This legislation sets up a program that will provide grants for the farmers. The total sum of all the grants is $40 million dollars, and this will not touch the losses that have occurred.

I have supported and have voted for incentives to bring large businesses such as Boeing, Volvo, BMW, Continental, Bridgestone and Amazon to South Carolina. By providing those incentives, these industries bring jobs to South Carolina.

Agriculture/agribusiness brings jobs to South Carolina. Farmers are the backbone of this State. They feed us and they feed part of the nation and world. If we do not pass this legislation, we will lose jobs in South Carolina. They need our help and we have the opportunity to help them.

Aid has been given to homeowners, aid has been given to businesses, aid has been given to the State of South Carolina, and aid has been given

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to local governments. The farmers -- are we going to turn our backs on them? You may; but I will not. The farmers are too important to this State. They are not jobs that are going to come and they are not people who are going to move here. They are people who live here, they work here, they pay taxes here and they join us in making South Carolina the great State that it is. I urge you to override this veto.

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

**Remarks by Senator RANKIN**

Thank you, Mr. PRESIDENT. I also rise to speak in support of the motion to override the veto that has been offered or will be offered shortly. I want to give a little perspective from a county that is now known for tourism but was made by agriculture. The farmers of this State and the farmers of Horry County put us on the map. Tobacco was king long ago. Those of you from the Pee Dee know that. Tobacco still exists but it is not farmed by the folks like those I knew growing up. My first job, outside of cutting grass, was working in tobacco. Senator LEATHERMAN, I want you to know that I was a stalwart worker. I made it one week before I monkeyed. Who knows the term monkeyed? Do not eat watermelon after getting off work while you are dealing with the chemicals of tobacco. It is not a mix that you want to recommend. I went back to cutting grass after just the one week -- working with Mr. Barker who gave me my first job.

My family, my uncles, have been in agriculture. My father grew up in Allsbrook, and his brothers were pursuing agriculture or education, where they would teach agriculture or an agriculture related subject. Fortunately he wanted no part of it. Had he decided to stay in Allsbrook and farm, no doubt I would be the worst farmer the Rankins have ever produced as I would later grow up to monkey that one week into it.

I have a place in my heart for farmers though with family and with the folks from Horry County. Mr. Tyler, I don’t know whether you are here today or not. I know you were here yesterday with a host of others from Horry County, who join with the Chamber, who join with the Farm Bureau, who join with Hugh Weathers whose is in the audience today, who join with us to call attention to their plight. Who call attention to the efforts made not just by the House in their override, and the Senate in its eventual override here soon, but in the South Carolina Congressional Delegation as well, who to a person, except for our former Governor, Mark Sanford, supported the very relief that was asked for by

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the other state and received, on behalf of not just the homeowners and the small business owners but the farmers as well. Who when my Congressman Tom Rice begged and implored the Governor to simply call the Speaker of the House, Paul Ryan, to show her support and urge his action, was told no.

Just as the host of the farmers in here today and the host of farmers across this State and the families that they have and the communities they live in and the business that thrive off of their crop likewise were told no.

I said in the debate a few weeks ago that it was sinful the way we have treated our farmers. That’s not my line; that’s a line I have heard over and over in Horry County. Now, the Governor has the right to do what she wants to do. But in her veto message she cites some things that, if you take them at face value, paint a totally different picture than the reality that exists if you are a farmer and if you have suffered the loss from, not a 50 year flood or a 100 year flood, but from what they say is a thousand year flood -- truth be known there was no measure a thousand years ago. It was an unprecedented flood that affected farmers and homeowners across the State on an equally catastrophic level.

But the message was made in the veto of a number of points, and I just want to take a few minutes to tell you and you decide, is it true or not. Senator SHANE MARTIN used a right pretty strong term and I’m not going to use that term, but it begs the question, what is different here? Why the lack of support when you told the farmers, you met with the farmers, you campaigned with the farmers? You told them, “you’ve got their back” and you turn a deaf ear on them now? And when you represent to the world justifying why you were turning a deaf ear and your back to them in their time of most need, why do you say that “they already received commodity price support totaling $27 million?”

Now, to the average listener who is not acutely involved with this subject, they might say, well they already got money. Folks, I use the term apples and oranges, I’m trying to draw a better parallel in South Carolina, it would be strawberries and peaches. They ain’t the same! You don’t get commodity price supports when you have had a 2014 program. When was the flood? 2015? They are not the same.

My second point is this: flood insurance is already subsidized, like crop insurance. Farmers don’t need additional help because the crop insurance is federally subsidized. But wait, that doesn’t jive with the $140 million the Governor asked for on behalf of homeowners that she would support. It doesn’t add up. And that is not from, again, the federally subsidized program. Flood insurance is a federally subsidized

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program. So if it can’t be federally subsidized, again, why are you helping one and not the other?

Another point, Farmers FSA Disaster Loans. They can borrow money. Folks, you’ve heard about it, the drought conditions we have had. They can’t leverage any more loans. So the folks in Horry County are telling me they are maxed out and have no lifeline at all. By this message, they haven’t availed themselves of the program. I can’t believe you don’t know about this. All you have to do is go knock on the door of the FSA -- that disaster loan doesn’t help them. Not when you are maxed out and leveraged out; not on some speculative business like we talked about some weeks ago. This isn’t some turn of the economy and you made a bad bet. It’s a bad result that no one forecast, from drought to deluge and catastrophic flood levels.

One other point, the Farmer Commodity Program -- there’s some relief there. Folks, that program ended. There is no federal program. The 2014 Farm Bill ended that. Again, I can’t believe the farmers don’t understand that. All they had to do was go knock on their door and they won’t have to come knock on ours.

And the last point: again, USDA crop insurance. Go there, farmers. Surely there is relief to be had there. Farmers, don’t come to me. It is much like in the Wizard of Oz, they were told when they are going to see the Wizard to get the relief they need, all they had to do to get relief was go get the broom, go get the slipper, go get this, only to be told you had it in your own heart and your own charge to make your own relief. The farmers have been told to go where they cannot get relief and thank the good Lord the House and Senate of this State have heard their call.

Now, what are they going to get? In Horry County we have $27 million in demonstrable, objectively proven crop losses that will not get any loans -- any federal help at all. In the State, there are $250 million in loses where there will be no relief through any of these programs that this veto message points to as where they should go to get what they need. There is no other relief.

I will tell you this in closing. $250 million in losses across this State and we are appropriating all that we can which is only $40 million. It is not a bailout, it is a lifeline, and it is sinful that we have not done better by them. Thank you.

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

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**Remarks by Senator SCOTT**

Thank you, Mr. PRESIDENT. Members of the Senate, ladies and gentlemen of the Senate, yesterday I received a call -- I was notified where we were with the Farm Bill and was asked to respond to the general public through the media. One of the things that went through my mind was well, you really don't live in a community where you have a lot of farmers who are planting a large amount of crops. I said, “No, I don't. But in a State where I live in a rural community, I have a responsibility to the citizens of this State.” I began to ask myself the real question -- what is that responsibility all about? Just because I don't live in a rural community doesn't mean that I don't understand the economic impact of not being able to retool farmers. What are we asking for -- for higher costs as it associates to food in South Carolina -- when we're doing everything to keep costs at a minimum. Are we asking neighboring states and states from across this country to come in and to retool us at a higher cost? When you begin to import from another location, you're asking for higher costs. I hear all the time about the role of government. Government has multiple roles and sometimes my colleagues and I don't agree on what the role is. I do know one of the roles is to protect the citizens of South Carolina and to make sure that our farm industry doesn’t go into a recession. Part of the suburbia portion of South Carolina was slowly coming out of recession. Some of the economies like the real estate industry and the banking industry were still struggling to get through it. Now we look at the possibility of sending the food industry into a recession. What's a recession do to the rural portions of the State as it relates to unemployment? What does it do? It simply says the seasonal workers who come to South Carolina, who are able to help us to keep our costs down, who come and plant and then come to harvest and go on their way to other portions of the country at a minimum cost to us. It now says that to other states who are contributing, who now receive the same seasonal workers, we're going to pay a higher cost. Because we don't have goods to both import or export out of South Carolina. Can you imagine rural South Carolina farmers -- communities like Florence, Darlington, Dillon and others -- where we get corn, crops, soybean, cotton, peaches, other kinds of goods, over near Greenwood, gleams country as we call it -- all of a sudden, they're not there to plant for us. Can you imagine what that cost is going to be for us simply because we allowed that industry to collapse? Most of you who are sitting in here are parts of families who have owned real estate for generations. At least I can speak about three generations of ownership and can probably go back further than that. To think about losing the

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family farm and to think about the contribution that family has made simply because we don't have the money to replant. I hear all the time, what is the role of government? What is the role of FEMA? FEMA has come in and made a lot of families whole who lost their homes and ability to earn a living. What do we do in South Carolina? We refuse to take money in many cases from the federal government -- coming in to fix some of these issues and now the State has a responsibility to try to make these families whole again. Believe it or not, some people know nothing but how to farm. I've a lot friends who were farmers and they've been farming for generation after generation after generation. And now Senator LEATHERMAN, I applaud you for taking this very, very strong position and folks, it’s not about just the Pee Dee. The Lower Richland part of my county has a lot of farmers there.

We have a responsibility to get beyond our own selfish interests and look at the big picture for South Carolina. We're saying simply because in many cases, they could not afford the insurance. Now we can stabilize this economy. When we look at this country who bailed out bankers, the auto industry and the real estate industry -- then came the big flood. Folks, regular working middle class people and some poor people who lost it all and the federal government came in. Now the farmers ask us to be sensitive to their needs. Help make me whole. Help me to continue to do what we've been doing for generations -- provide food for South Carolinians. It is a much bigger picture than you could ever imagine. For some of you who may not be taking this thing real serious, can you imagine South Carolina without what has made South Carolina great? And that's farmers -- farmland, the purchase of tractors, the purchase of shovels, rakes, combines, all of these things. Can you imagine now beginning to lose those companies who have come into South Carolina simply because they're unable to sell the equipment to South Carolinians? We may spend $40 million to help them but what is the real impact coming back to us in this general fund? I said impact is larger than the $40 million. Sometimes we have to stop and make this kind of investment to protect the investment in South Carolina. Thank you.

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

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**Remarks by Senator McELVEEN**

Thank you, Mr. PRESIDENT, members of the Body, I will be brief but I do represent three counties that have substantial population of family farms -- Sumter, Lee and Kershaw Counties, and the part of Richland County that I have I think at one time had some pecan farms out there also. I just want to say that I am very proud of the way that this Body has come together on this issue so far and I hope we are going to do that again today. Going back to December, Senator LEATHERMAN and Senator PEELER, we served on that flood committee, and I remember very vividly still at the end of 2015 we had the Commissioner from Agriculture come and talk to us and he really did a great job of explaining the plight that the farmers were in. I think the Farm Bureau has done an excellent job at mobilizing family farmers to come here and to let us know how important this Bill really is.

I think back in November or December, Senator LEATHERMAN -- our committee sent a letter to the Governor encouraging her to please take the funding from the Federal Government. We don’t ask for it much in South Carolina, but I think we ask for it when we really need it. We had a chance to do that and I think the Commissioner of Agriculture told us back then that if we got that money from the Federal Government there would be zero State match involved. So I wrote her a letter back in December 2015, and I won’t bore you with the details, but that letter just pleaded with the Governor to reconsider that position and to go back and ask our Congressional Delegation for the help that we so desperately needed. That was refused, so I spoke with someone with the Governor’s Office and I was informed that those farmers could take loans out like everybody else. But when you ride through Lee County in the fall and you see cotton hanging from the stalks in the field and you see soy beans still in the field and it hasn’t been harvested and you see tractors stuck in the mud you quickly realize if you understand basic economics that to take a loan out wouldn’t be the best thing for a farmer to do when that farmer’s ability to repay the loan has been compromised; because, the farmers ability to repay the loan is still in the field and they can’t get to it.

So, I think the points that I have heard so far from the Senator COLEMAN, Senator RANKIN and Senator LEATHERMAN are well taken. I think all of us are here because we want to make sure that this is a good place to do business, a good place for commerce, and a good place for people to come and have opportunity and jobs. I think that’s why at some point or another most of us have supported incentives for companies like Boeing and companies like Volvo and I don’t shy away

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from that, but I think the point I want to make here is this, let’s not forget the partner here that has brought us to the dance. Because agriculture in this State goes back as far as time and when you think about it, farmers have a $41.7 billion a year economic impact on South Carolina -- what we are asking for here is really a pinch. It is a lot of money, but in comparison it’s really not a whole lot when you are talking about $41.7 billion a year economic impact. Finally, let me say this. For those of us who represent rural counties -- represent a lot of farmers -- voting for this is a layup for us. It’s not a hard decision; it was not a hard decision for me to make at all. But I want to stand here and applaud those of you who come from the urban areas, who don’t necessarily have farmers in your district, because you stood up and you realized how important this industry is. The chairman said it best when he got up here, when these farmers decide to go into that occupation they step out on faith every time and I think Senator JOHNSON introduced his constituent Jeremy Cannon and I met him yesterday from Clarendon County. He had on a shirt yesterday and it said, “Faith, Family, and Farm” and so it’s not lost on me that in this country, we have a surplus of food and a lot of other countries don’t have that. I don’t think we should ever take that for granted nor never lose sight of that. The reason that we have that is because farmers stepped out on faith; let’s not lose sight of that and again I just want to encourage people, my friends and colleagues, to override this veto.

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

**Message from the House**

Columbia, S.C., May 18, 2016

Mr. President and Senators:

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

S. 652 -- Senator L. Martin: A BILL TO AMEND TITLE 34, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 45, SO AS TO AUTHORIZE FINANCIAL INSTITUTIONS THAT DO BUSINESS IN SOUTH CAROLINA TO CONDUCT SAVINGS PROMOTION CONTESTS FOR MEMBERS AND CUSTOMERS OF THE FINANCIAL INSTITUTIONS, SUBJECT TO CERTAIN REQUIREMENTS, AND TO AUTHORIZE THE APPROPRIATE FEDERAL OR STATE REGULATORY AGENCY OF EACH

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FINANCIAL INSTITUTION TO OVERSEE THE CONDUCT OF THE CONTESTS AND ISSUE CEASE AND DESIST ORDERS WHEN NECESSARY.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., May 18, 2016

Mr. President and Senators:

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

H. 4936 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑50 SO AS TO PROVIDE FOR EDUCATIONAL GOALS FOR ALL SOUTH CAROLINA HIGH SCHOOL GRADUATES AND THE STANDARDS AND AREAS OF LEARNING BY WHICH THESE GOALS ARE MEASURED.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 18, 2016

Mr. President and Senators:

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

H. 3848 -- Reps. Huggins, J.E. Smith, McKnight, Jefferson, Hosey, Atwater, Toole, Burns, Herbkersman, Ridgeway, Simrill, Kennedy, Ballentine and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA FOUNDING PRINCIPLES ACT” BY ADDING SECTION 59‑29‑155 SO AS TO REQUIRE THE COMPLETION OF A SEPARATE, FULL SEMESTER COURSE CONSISTING ONLY OF INSTRUCTION IN CERTAIN FOUNDING PRINCIPLES OF THE UNITED STATES OF AMERICA, TO REQUIRE A PASSING GRADE IN THE COURSE AND ON THE NATURALIZATION TEST

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FOR UNITED STATES CITIZENSHIP AS A CONDITION FOR GRADUATION FROM HIGH SCHOOL, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND THE LOCAL SCHOOL DISTRICTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 18, 2016

Mr. President and Senators:

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

H. 3685 -- Reps. D.C. Moss and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14‑1‑219 SO AS TO PROVIDE THAT A FIVE DOLLAR SURCHARGE IS IMPOSED UPON ALL MONETARY PENALTIES IMPOSED BY CERTAIN COURTS FOR OFFENSES IN WHICH AN ELECTRONIC TICKET OR CITATION WAS ISSUED, AND TO PROVIDE FOR THE DISTRIBUTION OF THE SURCHARGE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 18, 2016

Mr. President and Senators:

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

H. 3193 -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G.A. Brown, R.L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G.M. Smith, G.R. Smith, McCoy, Clary, J.E. Smith, Hicks and Weeks: A BILL TO AMEND SECTION 8‑13‑1320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ATTRIBUTION OF CAMPAIGN CONTRIBUTIONS TO SPECIFIC TYPES OF

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ELECTIONS, SO AS TO REVISE THE MANNER IN WHICH CAMPAIGN CONTRIBUTIONS ARE ATTRIBUTED TO A PRIMARY ELECTION AND TO A PRIMARY ELECTION RUNOFF.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 18, 2016

Mr. President and Senators:

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

H. 4510 -- Reps. Thayer, Hosey, Nanney, Hamilton, Erickson, Long, Hicks, McCoy, McEachern and Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-2400 SO AS TO ESTABLISH LIMITATIONS ON THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 17, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Nanney, Ridgeway and Dellaney to the Committee of Free Conference on the part of the House on:

H. 3114 -- Reps. Nanney, Hicks, Allison, Atwater, Ballentine, Bannister, Bingham, Brannon, Burns, Chumley, Clary, Corley, H.A. Crawford, Crosby, Daning, Delleney, Erickson, Forrester, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Hiott, Huggins, Kennedy, Limehouse, Loftis, Long, McCoy, Merrill, D.C. Moss, Newton, Pitts, Pope, Quinn, Ryhal, Sandifer, G.M. Smith, G.R. Smith, Stringer, Tallon, Taylor, Thayer, Yow, Wells, Willis, Hixon, Putnam, Rivers, V.S. Moss, Whitmire, Bedingfield, Hill, Duckworth and

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Clemmons: 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 DEFINE NECESSARY TERMS, TO REQUIRE A PHYSICIAN TO CALCULATE THE PROBABLE POST‑FERTILIZATION AGE OF AN UNBORN CHILD BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST‑FERTILIZATION AGE OF THE UNBORN CHILD IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN REPORTING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BY FACILITIES IN WHICH ABORTIONS ARE PERFORMED, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PREPARE PUBLIC REPORTS THAT PROVIDE DATA ON ABORTIONS PERFORMED IN THE STATE AND TO PROMULGATE REGULATIONS, TO CREATE CRIMINAL PENALTIES, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 17, 2016

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Free Conference on:

H. 3114 -- Reps. Nanney, Hicks, Allison, Atwater, Ballentine, Bannister, Bingham, Brannon, Burns, Chumley, Clary, Corley, H.A. Crawford, Crosby, Daning, Delleney, Erickson, Forrester, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Hiott, Huggins, Kennedy, Limehouse, Loftis, Long, McCoy, Merrill, D.C. Moss, Newton, Pitts, Pope, Quinn, Ryhal, Sandifer, G.M. Smith, G.R. Smith, Stringer, Tallon, Taylor, Thayer, Yow, Wells, Willis, Hixon, Putnam, Rivers, V.S. Moss, Whitmire, Bedingfield, Hill, Duckworth and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH

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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 DEFINE NECESSARY TERMS, TO REQUIRE A PHYSICIAN TO CALCULATE THE PROBABLE POST‑FERTILIZATION AGE OF AN UNBORN CHILD BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST‑FERTILIZATION AGE OF THE UNBORN CHILD IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN REPORTING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BY FACILITIES IN WHICH ABORTIONS ARE PERFORMED, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PREPARE PUBLIC REPORTS THAT PROVIDE DATA ON ABORTIONS PERFORMED IN THE STATE AND TO PROMULGATE REGULATIONS, TO CREATE CRIMINAL PENALTIES, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

Very respectfully,

Speaker of the House

Received as information.

**H. 3114--REPORT OF COMMITTEE OF FREECONFERENCE**

**ENROLLED FOR RATIFICATION**

The Report of the Committee of Free Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**HOUSE CONCURRENCE**

S. 1229 -- Senators Scott and Jackson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN RICHLAND COUNTY FROM ITS INTERSECTION WITH FRIENDLY WOODS ROAD TO ITS INTERSECTION WITH BLYTHEWOOD ROAD “PASTOR EDDIE W. DAVIS HIGHWAY” AND ERECT APPROPRIATE MARKERS

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OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 1293 -- Senators Grooms, J. Matthews, Campbell, Bennett and Sabb: A CONCURRENT RESOLUTION TO HONOR GOOSE CREEK CITY COUNCIL MEMBER JOHN B. MCCANTS ON THE OCCASION OF HIS RETIREMENT FROM CITY COUNCIL, AND TO THANK HIM FOR HIS YEARS OF OUTSTANDING PUBLIC SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1303 -- Senator L. Martin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MR. MARION DONNAN LAWSON FOR HIS YEARS OF DEDICATED SERVICE AS PRINCIPAL OF PICKENS HIGH SCHOOL AND TO WISH HIM MUCH SUCCESS AND HAPPINESS AS HE EMBARKS ON A NEW POSITION AS ASSISTANT SUPERINTENDENT FOR THE PICKENS COUNTY SCHOOL DISTRICT.

Returned with concurrence.

Received as information.

S. 1313 -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SHERIFF STEVE MUELLER OF CHEROKEE COUNTY FOR HIS DISTINGUISHED AND SELFLESS SERVICE IN PROTECTING THE CITIZENS OF OUR STATE AND TO CONGRATULATE HIM FOR BEING NAMED THE 2016 SHERIFF OF THE YEAR.

Returned with concurrence.

Received as information.

S. 1314 -- 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, J. Matthews, M.B. Matthews, McElveen, Nicholson, Peeler, Rankin, Reese, Sabb, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. STEVE A. WILSON,

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SUPERINTENDENT OF THE CALHOUN COUNTY PUBLIC SCHOOLS, FOR HIS OUTSTANDING CONTRIBUTIONS TO THE PUBLIC SCHOOLS OF SOUTH CAROLINA AND TO CONGRATULATE HIM ON BEING NAMED 2017 SOUTH CAROLINA SUPERINTENDENT OF THE YEAR.

Returned with concurrence.

Received as information.

S. 1315 -- Senator Sheheen: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER PRESIDENT WASHINGTON’S SOJOURN TO OUR HALLOWED GROUND AND THE SACRIFICES OF OUR PATRIOT FOREBEARS IN WELL OVER TWO HUNDRED BATTLES AND SKIRMISHES FOUGHT IN OUR STATE AND HIS RECOGNITION OF THE IMPORTANCE OF THE SOUTHERN THEATRE IN THE VICTORY THAT CULMINATED AT YORKTOWN, VIRGINIA.

Returned with concurrence.

Received as information.

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

**ORDERED ENROLLED FOR RATIFICATION**

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

H. 3849 -- Rep. Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑26‑45 SO AS TO EXEMPT PERSONALLY IDENTIFIABLE INFORMATION IN CERTAIN EVALUATIONS OF PUBLIC SCHOOL EDUCATORS AND STUDENT TEACHERS FROM PUBLIC DISCLOSURE.

The Senate proceeded to the consideration of the Bill.

Senator THURMOND explained the Bill.

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

**Ayes 35; Nays 1**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

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Campsen Cleary Coleman

Corbin Davis Gregory

Grooms Hembree Hutto

Jackson Johnson Kimpson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey *Matthews, Margie*

McElveen Peeler Sabb

Scott Setzler Shealy

Sheheen Turner Verdin

Williams Young

**Total--35**

**NAYS**

Thurmond

**Total--1**

The Bill was read the third time and enrolled for ratification.

H. 5011 -- Reps. Clemmons, Fry, Johnson, Duckworth, Hardee, Anderson, Goldfinch, George, Hayes, H.A. Crawford and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4‑10‑980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

H. 5024 -- Reps. Clary, Thayer, Collins, Funderburk, King, Felder, McCoy, Stavrinakis, Bannister, Hamilton, Henderson, Anthony and Govan: A JOINT RESOLUTION TO REQUIRE THAT BEFORE THE 2016‑2017 SCHOOL YEAR, THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE ALL READING/LITERACY COACHES AND LITERACY TEACHERS WITH TRAINING ON DYSLEXIA, INCLUDING EVIDENCE‑BASED DYSLEXIA SCREENING, INSTRUCTIONAL METHODS, AND INTERVENTIONS; AND TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DEPARTMENT.

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**AMENDED, READ THE THIRD TIME**

**RETURNED TO HOUSE**

H. 3653 -- Reps. Pope, Quinn, Huggins, Allison, Spires, Hardee, Gagnon, Yow, Stavrinakis, H.A. Crawford, Kirby, McEachern, Anthony, Corley, Bales, Kennedy, Erickson, Hosey, Whitmire, Crosby, Southard, Tallon, McCoy, Burns, Atwater, Ballentine, Bannister, Bedingfield, Bernstein, R.L. Brown, Chumley, Clary, Collins, Felder, Finlay, Forrester, Funderburk, Gambrell, Hamilton, Herbkersman, Hicks, Hiott, Hixon, Hodges, Loftis, Long, V.S. Moss, Norman, Norrell, Pitts, Ridgeway, Riley, Sandifer, Simrill, G.R. Smith, Taylor, Thayer, Toole, Weeks, Wells, Willis, Mitchell, W.J. McLeod and Rivers: A BILL TO AMEND SECTION 23‑1‑210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEMPORARY TRANSFER OF A LAW ENFORCEMENT OFFICER TO WORK IN A MULTIJURISDICTIONAL TASK FORCE, SO AS TO AUTHORIZE A LAW ENFORCEMENT AGENCY TO ENTER INTO MUTUAL AID AGREEMENTS OR MULTIJURISDICTIONAL TASK FORCE AGREEMENTS WITH OTHER LAW ENFORCEMENT PROVIDERS FOR ANY LENGTH OF TIME, TO PROVIDE THAT A SHERIFF MAY ENTER INTO AN AGREEMENT AS LONG AS THE AGREEMENT DOES NOT OBLIGATE HIS COUNTY’S GOVERNING BODY TO ANY ADDITIONAL RESOURCES BEYOND THOSE APPROVED WITHIN HIS ANNUAL BUDGET, TO PROVIDE THE CONDITIONS UPON WHICH AN AGREEMENT MAY BE TERMINATED, TO PROVIDE CERTAIN LIMITS PLACED UPON A LOCAL GOVERNING BODY WHEN IT ATTEMPTS TO PROHIBIT A LAW ENFORCEMENT AGENCY FROM TRANSFERRING OR ASSIGNING LAW ENFORCEMENT OFFICERS TO OTHER JURISDICTIONS, AND TO SPECIFY THE DIFFERENCES BETWEEN AGREEMENTS ENTERED INTO PURSUANT TO THIS SECTION AND UNDER THE LAW ENFORCEMENT ASSISTANCE SUPPORT ACT; AND TO REPEAL SECTION 23‑1‑215, AS AMENDED, RELATING TO AGREEMENTS THAT MAY BE ENTERED INTO BETWEEN MULTIPLE LAW ENFORCEMENT JURISDICTIONS FOR THE PURPOSE OF CRIMINAL INVESTIGATIONS.

The Senate proceeded to a consideration of the Bill.

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Senators HEMBREE and MALLOY proposed the following amendment (JUD3653.003), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 23-27, and inserting:

/ ~~(f)~~(6) a stipulation as to which law enforcement authority maintains control over the law enforcement provider’s personnel; ~~and~~

~~(g)~~(7) specific arrangements for the use of equipment and facilities~~.~~; and

(8) specific language dealing with the processing of requests for information pursuant to the Freedom of Information Act for public safety functions performed or arising under these agreements. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House.

**HOUSE BILL RETURNED**

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

H. 3560 -- Reps. Limehouse, Sottile, McCoy and Spires: A BILL TO AMEND SECTION 59‑25‑460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE AND HEARINGS FOR DISMISSAL OF A TEACHER, SO AS TO PROVIDE THAT THE BOARD MAY DESIGNATE A HEARING OFFICER TO CONDUCT A DISMISSAL HEARING AND ISSUE A REPORT WITH RECOMMENDATIONS, TO PROVIDE RELATED REQUIREMENTS OF A HEARING OFFICER, TO PROVIDE A HEARING MUST BE PRIVATE UNLESS THE TEACHER REQUESTS IN WRITING THAT THE HEARING BE PUBLIC, TO PROVIDE THAT A NOTICE OF DISMISSAL MUST BE GIVEN BY THE SUPERINTENDENT OR HIS DESIGNEE INSTEAD OF THE SCHOOL BOARD, TO SPECIFY USE OF A COURT REPORTER TO RECORD THE PROCEEDINGS, AND TO PROVIDE AN APPEALS PROCESS.

The Senate proceeded to the consideration of the Bill.

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Senator KIMPSON proposed the following amendment (BBM\  
3560C001.BBM.AB16), which was tabled:

Amend the bill, as and if amended, Section 59‑25‑460, as contained in SECTION 3, by striking the section in its entirety and inserting:

/ ~~No teacher shall be dismissed unless written notice specifying the cause of dismissal is first given the teacher by the District Board of Trustees and an opportunity for a hearing has been afforded the teacher. Such written notice shall include the fact that a hearing before the board is available to the teacher upon request provided, such request is made in writing within fifteen days as prescribed by Section 59‑25‑470. Any such hearing shall be public unless the teacher requests in writing that it be private. The District Board of Trustees may issue subpoenas requiring the attendance of witnesses at any hearing and, at the request of the teacher against whom a charge is made, shall issue such subpoenas, but it may limit the number of witnesses to be subpoenaed in behalf of the teacher to not more than ten. All testimony at any hearing shall be taken under oath. Any member of the board may administer oaths to witnesses. The board shall cause a record of the proceedings to be kept and shall employ a competent reporter to take stenographic or stenotype notes of all of the testimony. If the board’s decision is favorable to the teacher, the board shall pay the cost of the reporter’s attendance and services at the hearing. If the decision is unfavorable to the teacher, one‑half of the cost of the reporter’s attendance and services shall be borne by the teacher. Either party desiring a transcript of the hearing shall pay for the costs thereof.~~

(A)(1) A teacher may not be dismissed unless written notice specifying the cause of dismissal first is given the teacher by the superintendent and the teacher is given an opportunity for ~~a~~ an evidentiary hearing which must be:

(a) before the board or a designee of the board; and

(b) public unless the teacher requests it writing that it be private.

(2) A teacher is entitled to elect whether he wants the evidentiary hearing held by the board or a designee of the board. If the teacher elects for the hearing to be held before a designee of the board, the designee must be a person mutually agreed upon by the board and the teacher.

(3) Written notice required in this subsection must state that the teacher is entitled to a hearing before the board or its designee upon request if made in writing within fifteen days as provided in Section 59‑25‑470.

(4) The superintendent or his designee may meet with the teacher before issuing a notice of dismissal to discuss alternative resolutions. The

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parties attending this meeting must have the option of having a representative present.

(B)(1) A designee of the board must be:

(a) an attorney licensed to practice law in this State;

(b) certified by the South Carolina Supreme Court as a mediator or arbitrator; and

(c) designated by the board to hear all evidentiary hearings in the district for the school year, except when:

(2) If the designee holds the evidentiary hearing, he shall issue a written report and recommendation containing findings of facts and conclusions of law to the board, superintendent, and teacher within fifteen days after the hearing concludes. The superintendent and the teacher may submit a written response to this report and recommendation to the board within ten days after the date on which the report and recommendation are issued, after which the board shall issue a decision affirming or withdrawing the notice of suspension or dismissal within thirty days. In the interim, the board may conduct a hearing on the order to consider any written responses from the superintendent and teacher, but this hearing may not operate to extend the thirty day limit in which the board shall issue its decision affirming or withdrawing the notice of suspension or dismissal. The board retains final decision‑making authority regarding the teacher dismissal or suspension recommendation based on its consideration of the record, the report and recommendation, and any written submission of the superintendent and teacher.

(C) If the board holds the evidentiary hearing, the board shall issue its decision within the thirty days after the hearing. This decision must be in writing and must include findings of facts and conclusions of law.

(D) The board shall determine if the evidence shows good and just cause for the notice of suspension or dismissal, and accordingly shall render a decision to affirm or withdraw the notice of suspension or dismissal.

(E) The District Board of Trustees as provided in subsection (C), or its designee, as provided in subsection (B), may issue subpoenas requiring the attendance of witnesses at ~~any~~ the hearing and, at the request of the teacher against whom a charge is made, shall issue ~~such~~ these subpoenas, but it may limit the number of these witnesses to ~~be subpoenaed in behalf of the teacher to not more than~~ ten. ~~All~~ Testimony at ~~any~~ a hearing ~~shall~~ must be taken under oath. ~~Any~~ A member of the board, or its designee, may administer oaths to witnesses. The board, or its designee, shall cause a record of the proceedings to be kept and shall

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employ a competent reporter to take stenographic or stenotype notes of all ~~of the~~ testimony.

(F) If the board’s decision is favorable to the teacher, the board shall pay the cost of the reporter’s attendance and services at the hearing. If the decision is unfavorable to the teacher, one‑half of the cost of the reporter’s attendance and services ~~shall~~ must be borne by the teacher. ~~Either~~ A party desiring a transcript of the hearing ~~shall~~ must pay for the costs ~~thereof~~ of obtaining the transcript.” /

Renumber sections to conform.

Amend title to conform.

Senator THURMOND moved to table the amendment.

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

**Ayes 21; Nays 8**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Davis

Gregory Grooms Hembree

*Martin, Larry Martin, Shane* Massey

Peeler Shealy Thurmond

Turner Verdin Young

**Total--21**

**NAYS**

Allen Coleman Hutto

Kimpson *Matthews, Margie* Sabb

Scott Williams

**Total--8**

The amendment was laid on the table.

Senator KIMPSON move to carry over the Bill.

Senator THURMOND moved to table the motion to carry over.

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

**Ayes 19; Nays 12**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Corbin Davis Gregory

Hembree *Martin, Larry Martin, Shane*

Massey Peeler Shealy

Thurmond Turner Verdin

Young

**Total--19**

**NAYS**

Allen Coleman Hutto

Johnson Kimpson Malloy

*Matthews, Margie* McElveen Sabb

Scott Setzler Williams

**Total--12**

The Senate tabled the motion to carry over the Bill.

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House.

**HOUSE BILLS RETURNED**

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

H. 4939 -- Education and Public Works Committee: A BILL TO ESTABLISH A COMMITTEE COMPOSED OF SPECIFIED MEMBERS TO REVIEW ALL EXISTING STATE EDUCATION STATUTES AND REPORT TO THE GENERAL ASSEMBLY THOSE WHICH ARE OBSOLETE OR NO LONGER APPLICABLE; AND TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP THE SYSTEM FOR PROVIDING SERVICES AND TECHNICAL ASSISTANCE FOR SCHOOL DISTRICTS ON A REGIONAL BASIS TO INCLUDE ACADEMIC ASSISTANCE AND ASSISTANCE WITH FINANCES, AND TO PROVIDE THAT THE SUPERINTENDENT OF EDUCATION

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SHALL REPORT THE DESIGN OF THE SYSTEM TO THE GENERAL ASSEMBLY NO LATER THAN DECEMBER 31, 2016, AND EVERY YEAR THEREAFTER REPORT THE PROGRESS OF THE SYSTEM IN REGARD TO ASSISTANCE PROVIDED TO LOCAL SCHOOL DISTRICTS, AND ALSO TO REQUIRE THAT THE DEPARTMENT OF EDUCATION SHALL MONITOR THE OPERATIONS OF SCHOOL BOARDS IN UNDERPERFORMING DISTRICTS TO DETERMINE IF THEY ARE OPERATING EFFICIENTLY AND EFFECTIVELY AND TO PROVIDE THAT THE DEPARTMENT SHALL MONITOR THE PROFESSIONAL DEVELOPMENT OF TEACHERS, STAFF, AND ADMINISTRATORS IN DISTRICTS IT DETERMINES ARE UNDERPERFORMING TO ASCERTAIN WHAT IMPROVEMENTS AND CHANGES ARE NECESSARY.

H. 4938 -- Education and Public Works Committee: A JOINT RESOLUTION TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION, WITH THE ASSISTANCE OF OTHER ENTITIES, SHALL SURVEY STUDENTS ENROLLED IN THE STATE’S COLLEGES OF EDUCATION AND INCLUDE QUESTIONS INQUIRING AS TO WHETHER THE STUDENTS HAVE EVER CONSIDERED TEACHING IN A RURAL AND ECONOMICALLY CHALLENGED SCHOOL DISTRICT AND WHAT INCENTIVES, IF ANY, WOULD CAUSE THEM TO CONSIDER WORKING IN SUCH A DISTRICT.

H. 4413 -- Reps. H.A. Crawford, Norrell, M.S. McLeod, Henegan, V.S. Moss, Hicks and King: A BILL TO AMEND SECTION 63‑7‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LOCATIONS AT WHICH A PERSON MAY LEAVE AN INFANT UNDER CERTAIN CIRCUMSTANCES WITHOUT CRIMINAL PENALTY, SO AS TO REQUIRE SAFE HAVENS TO POST A NOTICE STATING THAT THE LOCATION IS A SAFE HAVEN, TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PREPARE THE NOTICE FOR USE BY SAFE HAVENS, TO ALLOW THE PLACEMENT OF AN INFANT NOT MORE THAN ONE YEAR OLD AT A SAFE HAVEN, AND TO CHANGE THE DEFINITION OF “INFANT”.

Senator SHEALY explained the Bill.

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**READ THE SECOND TIME**

S. 1306 -- Senators Grooms and Campbell: A BILL TO PROVIDE FOR THE DESIGNATION OF RESTROOMS, LOCKER ROOMS, SHOWER ROOMS, AND OTHER FACILITIES WHERE STUDENTS MAY BE IN A STATE OF UNDRESS IN THE PRESENCE OF OTHER STUDENTS IN THE BERKELEY COUNTY SCHOOL DISTRICT AS BEING FOR THE USE OF MALE STUDENTS OR FEMALE STUDENTS; TO PROHIBIT A PERSON OF ONE SEX FROM USING A RESTROOM, LOCKER ROOM, SHOWER ROOM, OR OTHER FACILITY DESIGNATED FOR USE BY THE OPPOSITE SEX, TO PROVIDE FOR ALTERNATE REST ROOMS, LOCKER ROOMS, SHOWER ROOMS, OR OTHER FACILITIES WHERE STUDENTS MAY BE IN A STATE OF UNDRESS IN THE PRESENCE OF OTHER STUDENTS UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT APPLY DURING THE 2016‑2017 SCHOOL YEAR.

Senator GROOMS explained the Bill.

Senator HUTTO spoke on the Bill.

**Point of Order**

Senator LOURIE raise the Point of Order that the Bill was improperly placed on the Local Calendar.

Senator GROOMS spoke against the Point of Order.

Senator HUTTO spoke in favor of the Point of Order.

Senator LOURIE spoke in favor of the Point of Order.

The PRESIDENT overruled the Point of Order.

**Point of Order**

Senator HUTTO raised the Point of Order under Rule 26 that there was not a fiscal impact statement on the Bill.

Senator GROOMS spoke against the Point of Order.

Senator SHEHEEN spoke in favor of the Point of Order.

Senator CAMPSEN spoke against the Point of Order.

Senator SABB spoke in favor of the Point of Order.

The PRESIDENT overruled the Point of Order.

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Senator HUTTO moved that the Senate stand adjourned.

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

**Ayes 14; Nays 24**

**AYES**

Allen Coleman Hutto

Jackson Johnson Kimpson

Lourie McElveen Nicholson

Sabb Scott Setzler

Sheheen Williams

**Total--14**

**NAYS**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Davis Gregory Grooms

Hembree Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

Peeler Shealy Thurmond

Turner Verdin Young

**Total--24**

Having failed to receive the necessary votes, the Senate refused to adjourn.

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

**Recorded Vote**

Senator SABB desired to be recorded as voting against the second reading of the Bill.

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**AMENDMENT PROPOSED**

**CARRIED OVER**

H. 3682 -- Reps. Finlay, Bannister, Newton, Cole, Delleney, Weeks, Whipper, Robinson‑Simpson and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 39 SO AS TO ENACT THE “BAD FAITH ASSERTION OF PATENT INFRINGEMENT ACT”, TO PROVIDE THAT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENTS ARE PROHIBITED, TO DEFINE TERMS, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION IN STATE COURTS BY A RECIPIENT OF A BAD FAITH ASSERTION TO PATENT INFRINGEMENT, TO PROVIDE THAT ENFORCEMENT ACTIONS MAY BE BROUGHT BY THE ATTORNEY GENERAL AND WILFUL AND KNOWING VIOLATIONS MAY RESULT IN CIVIL PENALTIES OF NOT MORE THAN FIFTY THOUSAND DOLLARS FOR EACH VIOLATION, TO PROVIDE FOR THE FACTORS THAT A COURT MAY CONSIDER WHEN MAKING A BAD FAITH DETERMINATION, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD3682.003):

Amend the bill, as and if amended, by striking page 6, lines 2-4, and inserting the following:

/ amount of the proposed bond or for other good cause shown.

Section 39-4-150. The provisions of this chapter are repealed as of July 1, 2021, unless and until the General Assembly reauthorizes the provisions by joint resolution. A vote on the reauthorization may occur within two years preceding the date of repeal.”

SECTION 2. This act takes effect July 1, 2016. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

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

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**AMENDED, CARRIED OVER**

H. 3313 -- Reps. Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V.S. Moss, Norman, Stringer, Toole, W.J. McLeod and Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑43‑222 SO AS TO PROVIDE WHEN CALCULATING ROLL‑BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE OR OPEN SPACE USE; AND TO AMEND SECTION 12‑43‑220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER‑OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE.

The Senate proceeded to the consideration of the Bill.

Senators CAMPSEN, WILLIAMS and YOUNG proposed the following amendment (BBM\3313C004.BBM.DG16), which was adopted:

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

/ SECTION \_\_\_. Section 12‑43‑220(d)(3) of the 1976 Code is amended to read:

“(3)(A) Agricultural real property does not come within the provisions of this section unless the owners of the real property or their agents make a written application therefor on or before the first penalty date for taxes due for the first tax year in which the special assessment is

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claimed. The application for the special assessment must be made to the assessor of the county in which the agricultural real property is located, on forms provided by the county and approved by the department and a failure to apply constitutes a waiver of the special assessment for that year. The governing body may extend the time for filing upon a showing satisfactory to it that the person had reasonable cause for not filing on or before the first penalty date. No additional annual filing is required while the use of the property remains bona fide agricultural and the ownership remains the same. The owner shall notify the assessor within six months of a change in use. For failure to notify the assessor of a change in use, in addition to any other penalties provided by law, a penalty of ten percent and interest at the rate of one‑half of one percent a month must be paid on the difference between the amount that was paid and the amount that should have been paid, but not less than thirty dollars nor more than the current year’s taxes.

(B) Roll‑back taxes authorized pursuant to subitem (d)(4) must not be applied solely because the owner of the property fails to make written application for an agricultural assessment so long as the actual use of the property remains agricultural. If the property assessment is changed from agricultural or the property is assessed roll‑back taxes, the owner may appeal, and if an appeal is made, the property must continue to be assessed as agricultural and the roll‑back taxes may not be applied until the final appeal date.” /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

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

**CARRIED OVER**

H. 3440 -- Reps. Crosby, Daning, George and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56‑3‑115 AND 56‑5‑3715 SO AS TO PROVIDE THAT A MOPED MUST BE REGISTERED, CARRY LIABILITY INSURANCE, AND MAY NOT BE OPERATED ON A PUBLIC ROAD THAT HAS A SPEED LIMIT GREATER THAN THIRTY‑FIVE MILES AN HOUR; TO AMEND SECTIONS 56‑1‑1720 AND 56‑1‑1730, RELATING TO THE OPERATION OF MOPEDS ALONG THE STATE’S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON

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WHOSE DRIVER’S LICENSE HAS BEEN SUSPENDED MAY NOT BE ISSUED A MOPED OPERATOR’S LICENSE OR ALLOWED TO OPERATE A MOPED DURING HIS PERIOD OF SUSPENSION.

Senator HEMBREE explained the Bill.

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

S. 1115 -- Senators Gregory, Rankin and Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DIVORCE IN THIS STATE, SO AS TO PROVIDE A PUBLIC POLICY OF THE STATE OF SOUTH CAROLINA REGARDING THE AWARD OF ALIMONY.

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

S. 1169 -- Senators Gregory and Shealy: A BILL TO AMEND SECTION 20-3-130(B), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE FOR TWO NEW FORMS OF ALIMONY AND TO CHANGE THE DEFINITION OF COHABITATION; TO AMEND SECTION 20-3-150, RELATING TO SEGREGATION OF ALLOWANCE BETWEEN SPOUSE AND CHILDREN AND THE EFFECT OF REMARRIAGE OF A SPOUSE, SO AS TO CHANGE THE DEFINITION OF COHABITATION.

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

**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETO.**

**VETO OVERRIDDEN**

(R178, S1016) -- Senators Cleary, Jackson, J. Matthews, Campbell, Davis, Scott, Turner, Rankin, Alexander and McElveen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “EYE CARE CONSUMER PROTECTION LAW” BY ADDING CHAPTER 24 TO TITLE 40 SO AS TO ESTABLISH CERTAIN REQUIREMENTS TO DISPENSE SPECTACLES OR CONTACT LENSES.

On motion of Senator CLEARY, with unanimous consent, the veto of the Governor was taken up for immediate consideration.

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May 16, 2016

The Honorable Henry D. McMaster

President of the Senate

Statehouse, Second Floor

Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate,

Today, I am vetoing and returning without my approval, R.178, S.1016, a Bill that requires prescriptions from a licensed optometrist or ophthalmologist to receive glasses or contacts based on an in-person comprehensive eye examination. **I am vetoing this Bill because it uses health practice mandates to stifle competition for the benefit of a single industry**, effectively banning eye care kiosks statewide.

During my administration, South Carolina has expanded access to healthcare, including mental health services, to rural and underserved regions of our State using telemedicine. Unfortunately, a small group of eye care professionals are seeking to block new technologies that expand low-cost access to vision correction services, using two basic arguments.

First, advocates state that kiosks pose a public health risk, which is simply untrue. Individuals can, and should, continue to see their doctor for comprehensive medical exams, and these kiosks do not offer medical evaluations or advice. Second, optometrists argue that kiosks create an uneven playing field because licensed providers cannot take advantage of this technology and charge patients for its use in a medical practice. The answer to this problem is not to ban a new technology, but rather to expand its use. **Send a Bill to my desk that allows for the expanded use of automatic vision evaluations in all medical settings, and I will sign it.**

If allowed to become law, South Carolina would become the eighth state to impose such a ban, putting us on the leading edge of protectionism, not innovation. This is the wrong message to send to the business community.  **I urge you to continue promoting South Carolina’s use of innovative technologies to expand access to medical care and sustain this veto.**

My very best,

Nikki R. Haley

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Senator CLEARY argued in favor of overriding the veto.

Senator CLEARY moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

**Ayes 39; Nays 3**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Corbin

Courson Fair Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane Matthews, Margie*

McElveen Nicholson Peeler

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Bryant Davis Gregory

**Total--3**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

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**CONCURRENCE**

S. 277 -- Senators Alexander, Rankin and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “STATE TELECOM EQUITY IN FUNDING ACT” BY ADDING SECTION 58‑9‑2515 SO AS TO CLARIFY THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER CERTAIN PROVIDERS REGARDING TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE; BY ADDING SECTION 58‑9‑2535 SO AS TO PROVIDE FOR THE MANNER OF ASSESSING AND COLLECTING DUAL PARTY RELAY CHARGES BY LOCAL EXCHANGE PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND VOICE OVER INTERNET PROTOCOL SERVICE PROVIDERS, AMONG OTHER THINGS; TO AMEND SECTION 58‑9‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF TELEPHONE SERVICE, SO AS TO REVISE THE DEFINITIONS OF “BASIC LOCAL EXCHANGE TELEPHONE SERVICE” AND “CARRIER OF LAST RESORT”; TO AMEND SECTION 58‑9‑280, AS AMENDED, RELATING TO THE UNIVERSAL SERVICE FUND FOR CARRIERS OF LAST RESORT, SO AS TO PROVIDE FOR THE TRANSITION OF THE INTERIM LOCAL EXCHANGE CARRIER FUND INTO THE UNIVERSAL SERVICE FUND, TO LIMIT THE SIZE OF THE UNIVERSAL SERVICE FUND, AND TO REQUIRE VOICE OVER INTERNET PROTOCOL PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND PREPAID WIRELESS SERVICE PROVIDERS TO CONTRIBUTE TO THE UNIVERSAL SERVICE FUND; TO AMEND SECTION 58‑9‑576, AS AMENDED, RELATING TO CERTAIN STAND‑ALONE BASIC RESIDENTIAL LINE RATES, SO AS TO PROVIDE FOR THE TERMINATION OF THE RATES FIVE YEARS AFTER THEY BECOME EFFECTIVE; TO AMEND SECTION 58‑9‑2510, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE, SO AS TO REVISE THESE DEFINITIONS AND PROVIDE ADDITIONAL NECESSARY DEFINITIONS; TO AMEND SECTION 58‑9‑2530, AS AMENDED, RELATING TO THE OPERATING FUND FOR A SYSTEM OF DUAL PARTY RELAY DEVICES AND RELATED TELECOMMUNICATIONS DEVICES, SO AS TO IMPOSE CERTAIN UNIFORM-RELATED SURCHARGES ON LOCAL EXCHANGE PROVIDERS; AND TO REPEAL SECTION 58‑9‑2540

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RELATING TO AN ADVISORY COMMITTEE CONCERNING STATEWIDE TELECOMMUNICATIONS RELAY ACCESS SERVICE.

On motion of Senator LEATHERMAN, with unanimous consent, the Bill was taken up for immediate consideration.

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

Senator MALLOY explained the amendments.

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

**Ayes 34; Nays 1; Abstain 1**

**AYES**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Coleman Davis

Gregory Grooms Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

*Matthews, Margie* McElveen Peeler

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--34**

**NAYS**

Bryant

**Total--1**

**ABSTAIN**

Corbin

**Total--1**

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The Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**READ THE THIRD TIME**

**RETURNED TO THE HOUSE**

H. 4548 -- Reps. Sandifer, Forrester, Toole, Bales, Chumley, Burns, Hardee, Allison, Tallon, Henderson, Clemmons, Sottile, Crosby, V.S. Moss, Jefferson, Yow, Duckworth, H.A. Crawford, Jordan, Fry, Herbkersman, Lowe, Goldfinch, Hixon, Norman, Hiott, Taylor, McCoy, D.C. Moss, Collins, Rutherford, Anderson, Kirby, Pitts, Corley, Ballentine, Hamilton, Finlay, Huggins, Ott, Govan, Riley, Willis, Thayer, Felder, Hicks, Simrill, G.A. Brown, Bedingfield, Stringer, Ryhal, King, Loftis, Hayes, Mack, Rivers, Ridgeway, Clary, Brannon, Atwater, Daning, Bannister, Anthony, McEachern, Mitchell, Erickson, Weeks, Knight, Cole, George, Horne, G.R. Smith, G.M. Smith, Williams, Limehouse, Pope, Gambrell, Alexander, Stavrinakis, Newton, White, Spires, R.L. Brown, Gilliard, Dillard and Gagnon: A BILL TO AMEND SECTION 37‑2‑307, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLOSING FEES ASSESSED ON MOTOR VEHICLES SALES CONTRACTS, SO AS TO PROVIDE A MOTOR VEHICLE DEALER WHO MEETS CERTAIN STATUTORY REQUIREMENTS MAY CHARGE A CLOSING FEE, TO ESTABLISH DEFENSES FOR A MOTOR VEHICLE DEALER, AND TO AUTHORIZE THE DEPARTMENT OF CONSUMER AFFAIRS TO ADMINISTER AND ENFORCE MOTOR VEHICLE DEALER CLOSING FEES.

On motion of Senator LEATHERMAN, with unanimous consent, the Bill was taken up for immediate consideration.

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

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Motion Adopted**

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

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**MOTION ADOPTED**

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James Mitchell Smith of Marion, S.C. Mr. Smith was born and raised in Marion. He served our country with honor in the Navy during World War II. James spent his life serving others. He was a well-known local contractor, served on the Marion County Board of Education for over 25 years and was a former president of the Marion High School Booster Club. Because of his dedication to education and athletic programs in Marion, the James M. Smith spirit award and scholarship will be awarded yearly to deserving students. He was an avid Clemson fan. James was a loving father and devoted grandfather who will be dearly missed.

**ADJOURNMENT**

At 6:14 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*