**Tuesday, April 3, 2012**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

 The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SETZLER. **(This is a special Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

**CO-SPONSOR ADDED**

The following co-sponsor was added to the respective Bill:

S. 1397 Sen. Rose

**INTRODUCTION OF BILLS AND RESOLUTIONS**

 The following were introduced:

 S. 1398 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4207, 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. 1399 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4206, 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.

 H. 3665 -- Reps. Cooper, Pitts, Taylor, G. R. Smith, Bedingfield, White and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 23-31-130, 23-31-150, AND 23-31-180 RELATING TO REQUIRING A RETAIL DEALER TO POSSESS A LICENSE TO SELL OR TRANSFER A PISTOL AND THE ISSUANCE OF THE LICENSE, AND RELATING TO CERTAIN WEAPONS DECLARED TO BE CONTRABAND.

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

 H. 4641 -- Reps. Daning, Knight, Crosby, Ott, King, Brannon, Southard, Erickson, McEachern, J. E. Smith, Atwater, Spires, Gilliard, Battle, Bowers, R. L. Brown, Chumley, Cobb-Hunter, Harrison, Herbkersman, Hosey, Howard, Long, Lowe, Lucas, Murphy, Pitts, Tallon, Toole and Whipper: A BILL TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO REVISE THE CRITERIA UNDER WHICH VETERANS WHO ARE HONORABLY DISCHARGED AND THEIR DEPENDENTS MAY RECEIVE IN-STATE TUITION RATES.

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

 H. 4703 -- Reps. Pitts, Herbkersman, Parker, Hardwick, White, Erickson, Henderson, Limehouse, Sandifer, G. R. Smith, Spires and Tribble: A CONCURRENT RESOLUTION TO AFFIRM THE AUTHORITY OF THE STATE OF SOUTH CAROLINA IN DETERMINING APPROPRIATE ACTIVITIES AND USES OF RESOURCES IN WATERS CONTROLLED BY THE STATE AND TO RECOGNIZE THE CRITICAL ROLE OF STATES IN FEDERAL OCEAN PLANNING, INCLUDING THE GATHERING OF COASTAL AND MARINE SPATIAL DATA.

 The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

 H. 4739 -- Reps. Henderson, Stavrinakis, Gilliard, Whipper and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-157 SO AS TO SPECIFY THE NUMBER OF LIFEGUARDS, BASED ON THE SQUARE FOOTAGE AND NUMBER OF PATRONS, A PUBLIC SWIMMING POOL OPERATED BY THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE, MUST HAVE AS A CONDITION OF OBTAINING AND MAINTAINING AN OPERATING PERMIT; AND TO EXCLUDE TYPE E FACILITIES FROM THESE REQUIREMENTS.

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

 H. 4761 -- Reps. Hiott, D. C. Moss, Agnew, Skelton, Frye, Spires, Owens, Atwater, Bowen, Gambrell, Corbin, Hardwick, Whitmire, Branham, Thayer, Crosby, Allison, Southard, J. R. Smith, Daning, Delleney, Harrison, Hayes, Hixon, V. S. Moss, Pitts, Putnam, Taylor, White and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-225 SO AS TO DEFINE THE TERM “FARM TRUCK”; BY ADDING SECTION 56-5-363 SO AS TO PROVIDE THAT CERTAIN COMMERCIAL MOTOR VEHICLES AND FARM TRUCKS ARE EXEMPT FROM CERTAIN FEDERAL MOTOR CARRIER SAFETY LAWS AND REGULATIONS; TO AMEND SECTION 56-3-670, AS AMENDED, RELATING TO FEES FOR FARM TRUCK LICENSES, SO AS TO REVISE THE WEIGHT REQUIREMENTS FOR FARM TRUCKS THAT MAY BE USED FOR DOMESTIC PURPOSES AND GENERAL TRANSPORTATION BUT MAY NOT BE USED TO TRANSPORT PERSONS OR PROPERTY FOR HIRE; TO AMEND SECTION 56-5-4010, RELATING TO SIZE, WEIGHT, AND SPEED LIMITATIONS PLACED ON CERTAIN VEHICLES, SO AS TO PROVIDE THAT THE TRANSPORT POLICE DIVISION HAS THE EXCLUSIVE AUTHORITY TO ENFORCE THE COMMERCIAL MOTOR VEHICLE CARRIER LAWS; AND TO AMEND SECTION 56-5-4150, RELATING TO THE REGISTRATION OF CERTAIN VEHICLES, SO AS TO PROVIDE THAT CERTAIN “FARM TRUCKS” ARE NOT REQUIRED TO HAVE THE NAME OF THE REGISTERED OWNER, LESSOR, OR LESSEE MARKED ON THE VEHICLE.

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

 H. 4888 -- Reps. Thayer, Owens, Daning, Brannon, Erickson, Whitmire, Atwater, R. L. Brown, Gambrell, J. M. Neal, Putnam and Willis: A BILL TO AMEND SECTION 38-73-470, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSITION OF THE UNINSURED MOTORIST FUND, SO AS TO PROVIDE THAT THE PORTION THAT WAS FORMERLY PAID TO THE DEPARTMENT OF PUBLIC SAFETY MUST BE PAID TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56-1-286, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OR PERMIT TO CERTAIN PERSONS WHO DRIVE A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THE PORTION OF THE FEE TO OBTAIN A TEMPORARY ALCOHOL LICENSE THAT WAS FORMERLY RETAINED BY THE DEPARTMENT OF PUBLIC SAFETY MUST BE DISTRIBUTED TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56-3-3910, RELATING TO THE ISSUANCE OF “SHAG” SPECIAL LICENSE PLATES, SO AS TO REVISE THE BIENNIAL PERIOD IN WHICH THE LICENSE PLATE MUST BE ISSUED OR REVALIDATED; TO AMEND SECTION 56-3-5200, RELATING TO “SOUTH CAROLINA: FIRST IN GOLF” SPECIAL LICENSE PLATES, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-5-2951, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE WHEN A DRIVER REFUSES TO SUBMIT TO TESTS TO DETERMINE HIS LEVEL OF ALCOHOL CONCENTRATION, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-10-552, RELATING TO THE UNINSURED ENFORCEMENT FUND, SO AS TO PROVIDE THAT THIS FUND WHICH WAS FORMERLY DIRECTED TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY MUST NOW BE DIRECTED TO THE DIRECTOR OF THE DEPARTMENT OF MOTOR VEHICLES AND USED BY THE DEPARTMENT OF MOTOR VEHICLES AND THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 56-15-420, RELATING TO THE PROMULGATION OF CERTAIN REGULATIONS BY THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO PROVIDE THAT THESE REGULATIONS NOW WILL BE PROMULGATED BY THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56-19-420, AS AMENDED, RELATING TO CERTAIN FEES FOR SERVICES OFFERED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REVISE THE DISTRIBUTION OF THESE FEES; AND TO REPEAL ARTICLE 60, CHAPTER 3, TITLE 56 RELATING TO THE ISSUANCE OF “SHRINERS” SPECIAL LICENSE PLATES.

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

 H. 4894 -- Reps. White, Bedingfield, McCoy, Loftis, Bingham, Herbkersman, Parker, Bowen, Erickson, Taylor, G. M. Smith, Forrester, Frye, G. R. Smith, Merrill, Stringer, Lowe, Nanney, Tribble, Crawford, Ryan, Corbin, Southard, J. R. Smith, Allison, Barfield, Chumley, Clemmons, Cole, Crosby, Delleney, Edge, Hamilton, Hardwick, Harrell, Harrison, Hearn, Henderson, Hixon, Limehouse, Long, Lucas, D. C. Moss, Murphy, Norman, Owens, Pinson, Pitts, Putnam, Quinn, Simrill, Skelton, Sottile, Spires, Tallon, Thayer, Toole, Viers, Young, Atwater, Huggins and Patrick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-1145 SO AS TO AUTHORIZE A DEDUCTION FROM STATE OF SOUTH CAROLINA TAXABLE INCOME UP TO SPECIFIED AMOUNTS FOR TUITION PAID BY A PARENT OR LEGAL GUARDIAN FOR THEIR CHILD OR WARD TO ATTEND AN INDEPENDENT SCHOOL OR A PUBLIC SCHOOL OUTSIDE THE CHILD'S OR WARD’S SCHOOL DISTRICT OF RESIDENCE, AND TO ALSO AUTHORIZE A SIMILAR INCOME TAX DEDUCTION UP TO A SPECIFIED AMOUNT TO A PARENT OR LEGAL GUARDIAN FOR HOME SCHOOL EXPENDITURES; AND BY ADDING SECTION 12-6-1146 SO AS TO AUTHORIZE A CREDIT AGAINST A TAXPAYER'S SOUTH CAROLINA INCOME TAX LIABILITY OR CERTAIN OTHER TAX LIABILITY FOR CONTRIBUTIONS MADE TO NONPROFIT SCHOLARSHIP FUNDING ORGANIZATIONS THAT PROVIDE GRANTS FOR CHILDREN WHO ARE ELIGIBLE FOR THE FEDERAL FREE OR REDUCED SCHOOL LUNCH PROGRAM, WHO ARE “EXCEPTIONAL NEEDS” CHILDREN, OR WHOSE FAMILIES MEET THE REQUIREMENTS FOR FEDERAL MEDICAID BENEFITS TO ATTEND INDEPENDENT SCHOOLS OF THEIR CHOICE, AND TO PROVIDE THE PROCEDURES FOR, AND CONDITIONS AND LIMITATIONS OF THESE TAX CREDITS.

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

 H. 4904 -- Reps. Bingham, Allison, Anthony and G. R. Smith: A JOINT RESOLUTION TO SUSPEND THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION PROVIDE PRINTED COPIES OF 2012 DISTRICT AND SCHOOL REPORT CARDS; TO REQUIRE A SCHOOL DISTRICT OR SCHOOL WITHIN THE DISTRICT TO PROVIDE PARENTS WITH A LINK TO THE REPORT CARDS VIA EMAIL OR OTHER COMMUNICATION METHODS UPON CERTAIN CONDITIONS; TO SUSPEND THE REQUIREMENT THAT SCHOOLS ADVERTISE THE DISTRICT AND SCHOOL 2012 REPORT CARD, BUT TO REQUIRE RESULTS TO BE PROVIDED TO AN AREA NEWSPAPER OF GENERAL CIRCULATION; TO ALLOW HIGH SCHOOLS TO OFFER STATE FUNDED WORKKEY ASSESSMENTS TO CERTAIN STUDENTS USING SPECIFIED FUNDS APPROPRIATED FOR FISCAL YEAR 2012-2013, OR FOR THESE PURPOSES IN PRIOR YEARS; TO PROVIDE FOR FISCAL YEAR 2012-2013 A ONE YEAR GRACE PERIOD FOR CERTAIN RECIPIENTS OF A SOUTH CAROLINA TEACHER LOAN, AND TO REQUIRE THE SOUTH CAROLINA STUDENT LOAN CORPORATION TO DEVELOP FORMS AND PROCEDURES TO IMPLEMENT THE GRACE PERIOD; AND TO DIRECT SAVINGS FROM CERTAIN PROVISIONS OF THIS ACT.

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

 H. 5056 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO REQUIREMENTS OF LICENSURE FOR SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4254, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

 H. 5057 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS, RELATING TO REQUIREMENTS OF LICENSURE FOR LONG TERM HEALTH CARE ADMINISTRATORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4242, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

 H. 5058 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MASSAGE/BODYWORK THERAPY PANEL, RELATING TO QUALIFICATION FOR LICENSURE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4239, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

 H. 5059 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4237, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**REPORTS OF STANDING COMMITTEES**

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

 S. 1042 -- Senator Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑29‑65 SO AS TO PROVIDE THAT BEGINNING WITH SCHOOL YEAR 2012‑2013, ALL MIDDLE AND HIGH SCHOOLS OF THIS STATE SHALL PROVIDE AT LEAST THREE HOURS OF INSTRUCTION EACH YEAR TO ITS STUDENTS IN EACH GRADE AT THE BEGINNING OF THE SCHOOL YEAR ABOUT CRIMINAL CONDUCT OR OTHER ACTIONS MOST COMMONLY COMMITTED BY OR INVOLVING SCHOOL‑AGED CHILDREN OR YOUNG ADULTS THAT COULD RESULT IN INCARCERATION IN A FEDERAL, STATE, OR LOCAL PRISON OR DETENTION FACILITY WHETHER THE CONDUCT OR ACTIONS ARE COMMITTED AS A JUVENILE OR AS AN ADULT, AND TO PROVIDE FOR PROCEDURES AND OTHER REQUIREMENTS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

 Ordered for consideration tomorrow.

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

 S. 1210 -- Senators Hayes, Land and Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 60‑15‑100 AND 60‑15‑110 SO AS TO PROVIDE AN ANNUAL TRANSFER TO THE SOUTH CAROLINA ARTS COMMISSION OF AN AMOUNT EQUAL TO FIFTEEN PERCENT OF THE GENERAL FUND PORTION OF STATE ADMISSIONS TAX REVENUES IN THE PREVIOUS YEAR AFTER OTHER TRANSFERS REQUIRED FROM THE REVENUE AND TO REQUIRE THE COMMISSION TO EXPEND AT LEAST SEVENTY PERCENT OF ITS STATE APPROPRIATED FUNDS ON GRANTS FOR CHILDREN’S AND COMMUNITY PROGRAMS.

 Ordered for consideration tomorrow.

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

 H. 3028 -- Reps. Clemmons, Taylor, Clyburn and Long: A BILL TO AMEND SECTION 59‑26‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUCTION, ANNUAL, AND CONTINUING CONTRACTS FOR TEACHERS, SO AS TO INCREASE THE INDUCTION CONTRACT PERIOD FROM ONE YEAR TO FIVE YEARS.

 Ordered for consideration tomorrow.

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

 H. 4690 -- Reps. Owens, J.M. Neal, Patrick, Willis, Daning, Erickson and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “JASON FLATT ACT” BY ADDING SECTION 59‑26‑110 SO AS TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE TWO HOURS OF TRAINING IN YOUTH SUICIDE AWARENESS AND PREVENTION AS A REQUIREMENT FOR THE RENEWAL OF CREDENTIALS FOR INDIVIDUALS EMPLOYED IN MIDDLE SCHOOLS AND HIGH SCHOOLS; TO REQUIRE THE DEPARTMENT TO DEVELOP GUIDELINES FOR TRAINING AND MATERIALS THAT MAY BE USED BY SCHOOLS AND SCHOOL DISTRICTS AND TO PROVIDE THAT SCHOOL DISTRICTS MAY APPROVE TRAINING MATERIALS FOR TRAINING THEIR EMPLOYEES; TO PROVIDE THAT THIS TRAINING REQUIREMENT MAY BE SATISFIED THROUGH SELF REVIEW OF SUICIDE PREVENTION MATERIALS; AND TO PROVIDE THAT NO CAUSE OF ACTION RESULTS FROM THE IMPLEMENTATION OF THIS ACT.

 Ordered for consideration tomorrow.

 Senator RYBERG from the Committee on Labor, Commerce and Industry polled out S. 1324 favorable:

 S. 1324 -- Senator Ryberg: A BILL TO AMEND SECTION 40‑57‑40, RELATING TO THE SOUTH CAROLINA REAL ESTATE COMMISSION, TO ADD A COMMISSIONER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40‑59‑10, RELATING TO THE SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION, TO ADD A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40‑81‑50, RELATING TO THE STATE ATHLETIC COMMISSION, TO ADD A COMMISSIONER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; AND TO AMEND SECTION 41‑43‑30, RELATING TO THE South Carolina Jobs Economic Development Authority, TO ADD A COMMISSIONER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT.

**Poll of the Labor, Commerce and Industry Committee**

**Polled 16; Ayes 15; Nays 0; Not Voting 1**

**AYES**

Ryberg Setzler O’Dell

Reese Ford Alexander

Leatherman Bryant Bright

Cleary Lourie Massey

Nicholson Williams Rose

**Total--15**

**NAYS**

**Total--0**

**NOT VOTING**

Leventis

**Total--1**

 Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

 S. 1396 -- Senator McGill: A CONCURRENT RESOLUTION TO COMMEND THE MEMBERS OF THE AMERICAN LEGION RIDERS OF SOUTH CAROLINA FOR THEIR CONDUCT AND SPONSORSHIP OF THE 2012 MOTORCYCLE BENEFIT RIDE TO BE HELD ON APRIL 14 AND 15, 2012, WHICH EACH YEAR RAISES SUBSTANTIAL FUNDS FOR SCHOLARSHIPS FOR CHILDREN WHO HAVE HAD A PARENT KILLED ON ACTIVE MILITARY SERVICE SINCE SEPTEMBER 11, 2001.

 Returned with concurrence.

 Received as information.

**ADJOURNMENT**

 At 11:45 A.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

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