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**REPORT OF THE
JOINT LEGISLATIVE COMMITTEE
TO STUDY THE PROBLEMS OF
ALCOHOL AND DRUG ABUSE
1993 - 1994**

153995

**U.S. Department of Justice
National Institute of Justice**

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SC Joint Legislative Comm. to Study
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Joint Legislative Committee To Study the Problems of Alcohol and Drug Abuse

SENATE MEMBERS:
J. VERNE SMITH, CHAIRMAN
NIKKI G. SETZLER
KAY PATTERSON
MCKINLEY WASHINGTON, JR.

HOUSE MEMBERS:
MICHAEL L. FAIR
C. D. CHAMBLEE
BESSIE MOODY-LAWRENCE
HARRY C. STILLE



THE GRESSETTE BUILDING, SUITE 312
P. O. BOX 142
COLUMBIA, SC 29202
(803) 212-6390

GOVERNOR'S APPOINTEES

MRS. LESLIE HARRISON
MRS. TIPPI A. CRAIG
MR. JARVIS R. KLAPMAN
MR. L. R. PERRY

CONSULTANTS

DR. HERMAN SALZBERG
MR. C. EDGAR SPENCER
DR. JAMES E. WYNN

ADMINISTRATIVE ASSISTANT

LESLIE BOMAR

January 16, 1995

To Members and Interested Parties:

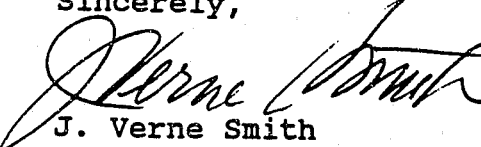
On behalf of the Joint Legislative Committee to Study the Problems of Alcohol and Drug Abuse, I am pleased to present you with the 1993 - 1994 Annual Report submitted by the Committee.

Within the report you will find the status of all Alcohol and Drug related Legislation that was proposed during the past legislative session, including bills that were passed and tabled. There are also submitted reports from the following agencies:

S.C. Department of Alcohol and Drug Abuse Services
South Carolina Department of Public Safety
South Carolina Department of Corrections
South Carolina Department of Mental Health
South Carolina Department of Education
South Carolina Department of Juvenile Justice
South Carolina Vocational Rehabilitation Department
South Carolina Law Enforcement Division

I look forward to working with you again this year as we continue to address these serious problems.

Sincerely,



J. Verne Smith

JVS/clb

JANUARY 1995

To The Honorable David Beasley, Governor of South Carolina and the Honorable Presiding Officers and members of the General Assembly.

The Committee to make a full and complete study of the illicit drug problems in South Carolina with a view to formulating and recommending appropriate legislative proposals for coping with the problem, was created by Concurrent Resolution S-771 of the General Assembly, approved April 24, 1970. The creating resolution authorized the establishment of a nine-member committee to consist of three members from the Senate, three members from the House and three members appointed by the Governor.

The Committee was formally organized on August 31, 1970, and was made a permanent committee on June 22, 1971.

Since the enactment of modernized drug legislation in 1971 and the creation of a permanent drug and narcotics study committee, the members have continuously worked to become knowledgeable and keep abreast of the activities of the areas of drug education, treatment, aftercare, rehabilitation and law enforcement, and in addition to discover for themselves how the interrelationship of these divisions contributes to an effective and meaningful drug problem.

On June 14, 1977, legislation was ratified which changed the name of the Committee to The Joint Legislative Committee to Study the Problems of Alcohol and Drug Abuse. The membership was increased from nine members to twelve members, and the Committee has since given the same attention to alcohol and drug problems as it has previously given to drug problems alone.

Approved and Respectfully Submitted.

SENATE MEMBERS:

/S/ Senator J. Verne Smith, Chm.
/S/ Senator Nikki G. Setzler
/S/ Senator Kay Patterson
/S/ Senator McKinley Washington, Jr.

HOUSE MEMBERS:

/S/ Representative Michael L. Fair
/S/ Representative Jarvis R. Klapman
/S/ Representative Bessie Moody-Lawrence
/S/ Representative Harry Stille

GOVERNOR'S APPOINTEES:

/S/ Mrs. Leslie Harrison
/S/ Mrs. Tippi Craig
/S/ Mr. Jarvis Klapman
/S/ Mr. L.R. Perry

**JOINT LEGISLATIVE COMMITTEE TO STUDY THE
PROBLEMS OF ALCOHOL AND DRUG ABUSE**

The 1993-94 legislative years have seen the Committee make notable advancement in legislation. The challenge of keeping abreast of the activities of the various State divisions and their interrelationships has enabled South Carolina to further its goals in relationship to meaningful alcohol and drug legislation and programs.

During 1993-94 the Committee emphasis has focused on a number of major alcohol and drug related issues and proposals.

At the Annual Meeting, held in November, the Committee heard presentations by representatives of various state divisions and state and community leaders on alcohol and drug abuse issues and proposals including missions, goals and strategies for the upcoming year as well as the various areas of progress from the past year.

Members were instrumental in the passage of major legislative proposals as follows:

S. 25 -- Senators Bryan and Hayes: An act to amend the code of laws of South Carolina, 1976, by adding Section 38-71-737 so as to require an offer of coverage for psychiatric conditions in group health insurance policies and define "psychiatric conditions".

S. 87 -- Senators McConnell and Rose: An act to amend Section 61-3-1000, as amended, code of laws of South Carolina, 1976, relating to structural and other requirements for retail alcoholic liquor stores, so as to authorize signs which indicate whether the business is open or closed and provide requirements for the signs.

S. 170 -- Senators Giese and Rose: An act to amend Section 40-43-150, as amended, code of laws of South Carolina, 1976, relating to the sale of prescription drugs, so as to also require a prescription for the sale of certain devices used in diagnosis and treatment and to provide requirements for an emergency refill of a prescription drug.

S. 435 -- Senators Jackson, Cork, Thomas, Washington, Ford, Matthews and Courtney: An act to amend Section 44-95-20, code of laws of South Carolina, 1976, relating to the prohibition of smoking in public indoor areas except where a smoking area is designated, so as to include in the prohibition licensed child day care facilities.

S. 532 -- Senators Wilson, Bryan, Giese and Thomas: An act to amend Section 16-11-700, as amended, code of laws of South Carolina, 1976, relating to the offense of littering, so as to provide that litter includes cigarettes and cigarette filters.

S. 622 -- Senator Bryan: An act to amend Section 40-43-150, as amended, code of laws of South Carolina, 1976, relating to certain drugs that only may be sold on prescription, so as to include therapeutically certified optometrists and physicians' assistants among those professionals who may prescribe medications, and to authorize emergency refills without a prescription under certain circumstances; to amend Section 40-47-25, as amended, relating to physicians' assistants, so as to delete provisions relating to the number of assistants a physician may supervise; and to amend Section 44-53-290, relating to registration for manufacturing, distributing, or dispensing controlled substances, so as to authorize the department to issue registrations to nurse practitioners and physicians' assistants for prescribing schedule v controlled substances.

S. 1096 -- Senators Land, Moore, Waldrep and Giese: An act to amend Section 20-7-410, as amended, code of laws of South Carolina, 1976, relating to jurisdiction of certain violations by juveniles, so as to require the family courts to report also violations that affect the juvenile's privilege to drive; to amend Section 56-1-745, as amended, relating to suspension of driver's licenses for controlled substance violations, so as to make technical corrections and to define controlled substance violations; to amend Section 56-1-747, relating to what constitutes a conviction for suspension purposes, so as to include juvenile proceedings.

H. 3112 -- Reps. Wilkins and Hodges: An act to amend Section 44-53-370, as amended, code of laws of South Carolina, 1976, relating to offenses for trafficking in controlled substances, so as to make it unlawful to traffic in lysergic acid diethylamide (lsd) and to provide penalties; and to amend Section 44-53-375, as amended, relating to distribution of ice, crank, or crack cocaine so as to add other drugs for purposes of establishing prior conviction and to increase the penalties.

H. 3151 -- Reps. Wilkins, Hodges, Jennings and Clyborne: An act to amend Section 16-1-10, as amended, code of laws of South Carolina, 1976, relating to felonies, so as to provide a classification system for all felony and misdemeanor crimes and offenses and exceptions;

H. 3174 -- Rep. Felder: An act to amend Section 61-9-315, code of laws of South Carolina, 1976, relating to the regulation of beer manufacturers, brewers, importers, wholesalers, and retailers, so as to define ownership and financial interest in beer operations as regards tiers in the industry.

H. 3180 -- Reps. Corning, Hallman, Rogers, Shissias, Scott, Klauber, Jaskwich, Holt, R. Young, J. Bailey, Waites, Kelley and Graham: An act to amend the code of laws of South Carolina, 1976, by adding article 12 to chapter 9 of title 61 so as to provide for the establishment, operation, and permitting of brewpubs, promulgation of regulations, and penalties.

H. 3676 -- Rep. Sheheen: An act to amend Section 56-1-40, code of laws of South Carolina, 1976, relating to persons who must not be licensed, so as to prohibit renewal of drivers' licenses to certain persons, and to add to the list of prohibitions persons whose licenses are suspended or revoked, persons who are not residents of the united states and to provide exceptions, and to provide that issuance of a license is not evidence of residency for educational purposes.

H. 3684 -- Rep. Fair: An act to amend Section 20-7-3300, as amended, code of laws of South Carolina, 1976, relating to juvenile records of the department of youth services so as to provide that certain information may be released to school officials and to provide a procedure for requests; and to amend Section 59-63-217 relating to barring enrollment of students so as to add adjudication for assault and battery of a high and aggravated nature.

H. 3890 -- Reps. McAbee, Kelley, Worley, Keegan, Witherspoon and Sturkie: An act to amend title 45, code of laws of South Carolina, 1976, relating to hotels, motels, restaurants, and boarding houses, by adding chapter 2, the lodging establishment act, so as to govern the lawful use of lodging establishments and provide penalties, including restitution requirements, for violations.

H. 4794 -- Reps. Hodges, Sheheen, Jennings, Harrison, Huff, Martin and J. Wilder: An act to amend Section 1-23-600, code of laws of South Carolina, 1976, relating to hearings and proceedings of the administrative law judge division, so as to provide that contested cases initiated before May 1, 1994, to which an administrative law judge would be assigned shall be heard and decided by a special hearing officer and cases initiated on or after May 1, 1994, shall be heard and decided by an administrative law judge; and to exempt those matters from the division which are otherwise provided for in title 56, or those other cases or hearings which are prescribed for or mandated by federal law or regulation, unless specifically assigned to the administrative law judge division; Section 1-23-650, relating to rules governing the internal administration and operation of the administrative law judge division, so as to provide that these rules shall be proposed by the chief judge of the division and adopted by a majority of the judges of the division, or proposed by any judge of the division and adopted by seventy-five percent of the judges of the division, so as to

provide that each administrative law judge may appoint, hire, contract, and supervise the support staff he is individually allotted, so as to provide that rules governing practice and procedure before the division which are consistent with the rules of procedure governing civil actions in courts of common pleas and not otherwise expressed in chapter 23 of title 1 of the 1976 code shall upon approval by a majority of the judges of the division be promulgated by the division, and shall be subject to review as are rules of procedure promulgated by the supreme court under article v of the constitution, and so as to provide that the division shall adopt the South Carolina rules of civil procedure as its temporary rules of procedure to remain in effect until permanent rules are promulgated; Section 61-1-10, as amended, relating to the appointment of attorneys to act as alcoholic beverage control hearing officers, so as to provide that hearing officers shall be appointed for these cases initiated before May 1, 1994; section 61-1-55, relating to the transfer of the duties and responsibilities of alcoholic beverage control hearing officers to the administrative law judge division, so as to provide that alcoholic beverage cases initiated before May 1, 1994, to which an administrative law judge would be assigned shall be heard and decided by a hearing officer and cases initiated on or after May 1, 1994, shall be heard and decided by an administrative law judge, and to delay from March 1, 1994, to May 1, 1994, the repeal of certain provisions of law relating to the appointment of these hearing officers; Section 1-23-640, as amended, relating to the location where the administrative law judge division shall hear contested cases, so as to provide that the division shall hear cases at its offices or at other locations as determined by the chief judge; Section 8-11-260, relating to the state employee personnel administration system, so as to exempt the judges, officers, and employees of the administrative law judge division; Section 8-17-370, relating to state employee grievance procedures, so as to exempt the judges, officers, and employees of the administrative law judge division; and Section 1-23-500, as amended, relating to the creation of the administrative law judge division, so as to direct the judicial council to study the feasibility and constitutionality of making the administrative law judge division a part of the unified judicial system, and to report its findings to the general assembly and the chief justice of the

supreme court by January 15, 1995.

H. 4811 -- Rep. G. Bailey: An act to amend Section 61-3-1020, as amended, code of laws of South Carolina, 1976, relating to the prohibition on the conduct of other business in retail alcoholic liquor stores, so as to authorize the sale of nonalcoholic items instead of nonalcoholic beverages packaged together with alcoholic liquors and to require the packaging at the alcoholic liquor producer's place of business.

H. 4872 -- Rep. Houck: An act to amend Sections 44-53-210 and 44-53-250, code of laws of South Carolina, 1976, relating to schedules ii and iv controlled substances, so as to provide that injectable forms of pentazocine are schedule ii and that oral dosage forms of pentazocine are schedule iv.

H. 4873 -- Rep. Houck: An act to amend Section 44-53-280, code of laws of South Carolina, 1976, relating to registration of professionals for narcotics and controlled substances use incidental to their profession, so as to revise the dates for expiration and renewal of registrations; and to provide staggered registrations.

The Committee has continued to research and study the problems of alcohol and drug related issues with deliberate concern and effort. Interaction with citizens' action groups and various state agencies was substantial and furthered the Committee's awareness of needed legislation.

The Study Committee assigns highest priority to exercising every opportunity to gain personal understanding of information revealing new and innovative efforts to reduce alcohol and drug usage. The Committee accepts its responsibility to organize and develop this information to promote appropriate legislation aimed at controlling and reducing alcohol and drug abuse in South Carolina. The Committee shares the results of their research and information development by responding promptly to all request for information by concerned citizenry. The committee has provided, upon request, their Annual Report to the S.C. State Library, S.C. Archives and History, USC Library and the Caroliniana Library and to libraries in other states including Florida, Illinois, Kentucky, Wisconsin, Texas and Virginia.

The Committee anticipates Committee meetings during the interim to hear issues and proposals prior to the 1994 Legislative Session.

The following is a Legislative Report of bills introduced during the 1993-93 Legislative Session. Those bills that have passed are indicated by an ACT number. Any legislation not enacted

will be pending in the 1993-94 Legislative Session.

S. 9 -- Senator Martin: A bill to amend Section 56-5-6240, code of laws of South Carolina, 1976, relating to forfeiture, confiscation, and sale of certain motor vehicles, so as to provide for such forfeiture upon a second or subsequent, rather than a fourth or subsequent, violation of dus (driving under suspension) and upon a second or subsequent, rather than a fourth or subsequent, violation of dui (driving under the influence), and to provide for such forfeiture upon a second or subsequent violation within the last ten years of knowingly operating an uninsured motor vehicle subject to registration in this state or knowingly allowing the operation of an uninsured motor vehicle subject to registration in this state. **Referred to Transportation**

S. 14 -- Senator Mitchell: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2925 so as to prohibit negligent driving and to provide a penalty. **Referred to Transportation**

S. 36 -- Senators Passailaigue and Rose: A bill to amend the code of laws of South Carolina, 1976, by adding article 25 in chapter 21 of title 12, relating to stamp and business license taxes, so as to enact "the marijuana and controlled substance tax act of 1993", to provide a penalty, and to establish the state controlled substances tax account. **Referred to Finance**

S. 75 -- Senators Rose, Giese and Wilson: A bill to amend title 44, code of laws of South Carolina, 1976, relating to health, by adding chapter 60 so as to enact the south carolina drug impaired infants act, which provides procedures for the drug testing of a newborn child under certain conditions, and provides that a newborn child testing positive for these substances under these conditions is considered neglected for purposes of family court jurisdiction. **Referred to Judiciary**

S. 76 -- Senators McConnell and Rose: A joint resolution proposing an amendment to Section 15, article I of the constitution of South Carolina, 1895, relating to bail, cruel, unusual and corporal punishment, and detention of witnesses, so as to provide for the offenses for which and the circumstances under which bail may be denied. **Referred to Judiciary**

S. 81 -- Senators McConnell, Passailaigue, Rose, Courtney, Wilson, Cork, Moore, Courson, O'Dell and Martin: A joint resolution proposing an amendment to article I of the constitution of South Carolina, 1895, relating to declaration of rights, by adding Section 24 so as to provide for the "victims' bill of rights".

Referred to Judiciary

S. 118 -- Senator Rose: A bill to amend the code of laws of South Carolina, 1976, by adding chapter 97 to title 44 so as to provide for the protection against pollution from litter by regulating the use of certain beverage containers and provide penalties for violations. **Referred to Medical Affairs**

S. 132 -- Senator Rose: A bill to amend the code of laws of South Carolina, 1976, by adding Section 61-9-150 so as to prohibit the sale of beer or wine displayed in a container of ice located within twenty feet of a cash register or an entrance or exit of a building and provide penalties for violations. **Referred to Judiciary**

S. 150 -- Senator Rose: A bill to amend the code of laws of South Carolina, 1976, by adding chapter 54 to title 44 so as to enact the "assessment of and intervention in the perinatal effects of alcohol, controlled substances, and cigarettes act" so as to require that physicians provide counseling to pregnant women on these effects; to require the south carolina department of health and environmental control and the south carolina commission on alcohol and drug abuse to provide educational programs and materials to physicians providing obstetrical and gynecological care; to direct the department of health and environmental control, the south carolina department of mental health, and the state department of social services to establish multidisciplinary teams to advise physicians on these issues; to provide optional reporting to the department of health and environmental control of families with children exposed to drugs or alcohol; to allow the department of social services to provide prevention services; to require reporting of high risk pregnancies to the department of health and environmental control and require the department to conduct drug prevalence tests to determine trends in pregnancy substance abuse; and to amend Section 59-32-20, relating to comprehensive health education instructional units for school districts, so as to require school districts to include the effects of perinatal substance abuse in their drug and alcohol education programs. **Referred to Medical Affairs, Recalled & Referred to Judiciary.**

S. 153 -- Senator Rose: A bill to amend the code of laws of South Carolina, 1976, by adding article 5 to chapter 13, title 61, so as to prohibit the advertising and marketing of alcoholic beverages and youth consumer goods to minors; to amend Section 61-3-20, pertaining to alcoholic beverages, so as to define additional terms; and to amend Section 16-17-500, relating to supplying tobacco to minors, so as to prohibit the advertising and marketing of tobacco to minors. **Referred to Judiciary**

S. 155 -- Senator Rose: A bill to amend the code of laws of South

Carolina, 1976, by adding Section 44-53-60 so as to provide for the reporting of prenatal exposure to controlled substances. Referred to Medical Affairs, Recalled & Referred to Judiciary, Favorable w/amendment, Ameded, Rec'd 2nd, Rec'd 3rd, Sent to House, Referred to 3M, Referred to Ways and Means, Favorable w/amendment, Obj. by Reps, Breeland, Inabinett, Neal , Scott, and Whipper.

S. 182 -- Senators Hayes, Stilwell and Martin: A bill to amend the code of laws of South Carolina, 1976, by adding article 7 to chapter 13, title 61 so as to provide relief for damages against licensees and permittees to sell regulated beverages when an injury results from the operation of a motor vehicle by setting forth definitions, circumstances under which claims are established, the amount of relief authorized, and requirements for financial responsibility. Referred to Judiciary

S. 186 -- Senator Passailaigue: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2941 so as to provide that the court in sentencing a person convicted of operating a motor vehicle under the influence of intoxicating liquor or drugs, whether or not the person is a first or subsequent offender and if he is a resident of this state, may require an ignition interlock device to be affixed to the vehicle the person was driving if registered and licensed in his name or the name of a member of his immediate family, and to provide for the terms and conditions of the use of this ignition interlock device. Referred to Judiciary

S. 191 -- Senators Hayes, Waldrep, Wilson and Martin: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2952 so as to make it unlawful for persons under the age of twenty-one to operate a motor vehicle with a blood alcohol content of two one-hundredths of one percent or greater by weight of alcohol, to provide penalties for violations, to provide that those persons have given their implied consent to certain tests to determine the alcohol content of their blood, to provide the manner in which and procedures under which these tests must be administered, and to provide for certain suspensions of the driving privileges of those persons who refuse to take tests or whose blood alcohol content, as a result of the tests, is two one-hundredths of one percent or greater. Referred to Judiciary

S. 197 -- Senators Hayes, Waldrep, Wilson and Martin: A bill to amend Section 44-53-520, as amended, code of laws of South Carolina, 1976, relating to forfeitures of property arising from controlled substance violations, so as to delete the separate minimum amounts of controlled substances which must be involved in the offense to give rise to the forfeiture of trailers, aircraft, motor vehicles, and watergoing vehicles. Referred to Judiciary

S. 271 -- Senator Reese: A bill to amend the code of laws of South Carolina, 1976, by adding Section 38-3-65 so as to allow the chief insurance commissioner to suspend the driver's license of a driver, for a period not to exceed thirty days, under certain conditions and circumstances; to amend the 1976 code by adding Section 38-73-458 so as to prohibit an automobile insurer from raising an insured's premium based upon the insured's driving record or accident record, or combination of both of these, or from removing an insured's safe driver discount under certain conditions and circumstances, if the insured completes and passes a safe driver course approved by the commissioner; to amend the 1976 code by adding Section 56-1-467 so as to provide that in addition to all other penalties provided by law a person may have his license to drive suspended for six months if he is convicted of, or pleads guilty or nolo contendere to, five traffic offenses in a one-year period or is convicted of, or pleads guilty or nolo contendere to, driving under the influence of alcohol or drugs two or more times in a one-year period, and provide that this suspension can be waived only upon a showing to the commissioner of extreme hardship and substantial rehabilitation.....
Referred to Banking and Insurance.

S. 323 -- Senators Moore, Wilson, Giese, Ryberg, Stilwell, Richter, Mescher and Waldrep: A bill to abolish the South Carolina alcoholic beverage control commission and transfer its regulatory powers, duties, and responsibilities to the South Carolina tax commission and its regulation and law enforcement and inspection responsibilities to the state law enforcement division; to amend Sections 61-1-10 and 61-1-20, code of laws of South Carolina, 1976, relating to the alcoholic beverage control commission, so as to abolish the commission and provide for the appointment of an alcoholic beverage control hearing officer within the tax commission to be appointed by the governor with the advice and consent of the senate, to provide for the term, duties, powers, and qualifications of the officer;..... **Referred to Judiciary, Favorable w/amendment, Rec'd 2nd, Amended, Rec'd 3rd, Sent to House, Referred to Judiciary.**

S. 332 -- Senators Passailaigue and McConnell: A bill to amend chapter 9, title 61, code of laws of South Carolina, 1976, relating to permits for the retail sale of beer, ale, porter, and wine, so as to provide an optional permit which allows sales and consumption without regard to the restrictions on the days and hours provided in Sections 61-9-90, 61-9-100, 61-9-110, and 61-9-130; and to amend Section 12-37-250, as amended, code of laws of South Carolina, 1976, relating to the homestead tax exemption, so as to increase the amount of real property exempted from taxation from the first twenty thousand dollars of fair market value to the first thirty thousand dollars. **Referred to Finance**

S. 383 -- Senator Giese: A bill to amend section 17-22-50, as amended, code of laws of South Carolina, 1976, relating to persons not to be considered for the pretrial intervention program, so as to exclude persons from the program who are charged with certain driver's license and alcohol-related offenses. Referred to Judiciary

S. 395 -- Senator Giese: A bill to amend Section 56-1-746, as amended, code of laws of South Carolina, 1976, relating to the suspension of the driver's license of persons convicted of certain driver's license and alcohol-related offenses, so as to provide that the license of a person accepted into a pretrial intervention program on being charged with one of these offenses may be suspended as if the person was convicted and to require the circuit solicitor to report the person's acceptance into the program to the department of highways and public transportation. Referred to Judiciary

S. 417 -- Senators McConnell and Rose: A bill to amend the code of laws of South Carolina, 1976, by adding Section 22-3-745 so as to authorize magistrates to dismiss criminal cases for lack of prosecution. Referred to Judiciary, Majority Favorable w/amendment, Minority unfavorable, Rec'd 2nd

S. 452 -- Senators Thomas and Passailaigue: A bill to amend Section 61-5-20, code of laws of South Carolina, 1976, relating to the transportation, possession, and consumption of alcoholic liquor, so as to delete the provisions for alcoholic liquors in sealed containers of two ounces or less and provide for alcoholic liquor by the drink; and to amend Section 61-5-130, relating to the tax on alcoholic liquors in sealed containers of two ounces or less, so as to delete the tax on the containers and related requirements and provide for a tax on each liter. Referred to Judiciary.

S. 474 -- Senator Thomas: A bill to amend the code of laws of South Carolina, 1976, by adding Section 61-13-890 so as to prohibit certain activities by a person employed by or performing activities incidental to the business of a person licensed or permitted for the sale of alcoholic liquors, beer, or wine and provide exceptions and penalties. Referred to Judiciary.

S. 523 -- Senator Thomas: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2995 so as to provide additional penalties for driving while under the influence of alcohol or drugs by confiscating the motor vehicle being operated. Referred to Transportation.

S. 530 -- Senator Peeler: A bill to amend Section 3-9-10, code of laws of South Carolina, 1976, relating to federal surplus property, so as to authorize the division of general services to enter into agreements with federal agencies to conduct and direct the disposal of surplus property of those federal agencies, and to provide that no other state or local agency may perform this function; to amend the 1976 code by adding Section 11-35-715 so as to require all state governmental bodies to comply with provisions of law requiring the use of the division of general services when disposing of surplus property regardless of other exemptions which have been granted to the consolidated procurement code; to amend Section 11-35-3820, relating to the allocation of the proceeds of the sale of surplus property, so as to provide that all proceeds must be applied to the credit of the governmental body owning the property for the purchase of like item; to amend Section 44-53-530, as amended, relating to the seizure, forfeiture, and sale of property used in illegal drug transactions, so as to provide that public auctions of this property must be conducted by the division of general services, and the division of general services must be notified annually of the property which has been retained by the seizing agency; to amend the 1976 code by adding Section 50-3-115 so as to provide that public auctions of personal property seized and forfeited to the department of wildlife and marine resources must be conducted by the division of general services and to require the division to be notified by the department of certain property retained by it for its own use; to amend Section 50-11-740, relating to the confiscation, forfeiture, and sale of property used in the hunting of deer or bear at night, so as to provide that the division of general services acting for the director of the department shall conduct the public auctions at which this property is sold; and to amend act 501 of 1992, relating to the general appropriations act for fiscal year 1992-93, so as to delete and revise certain provisos relating to the sale or disposal of surplus state property by the department of highways and public transportation and the information technology procurement office so that these sales or disposals must be conducted by the division of general services in the manner required by law. Referred to Finance, Majority Favorable w/amendment, Minority unfavorable, Rec'd 2nd.

S. 533 -- Senators J. Verne Smith, Hayes, Thomas, Wilson, Leatherman, Courson, Martin and Peeler: A bill to amend Section 56-5-2950, code of laws of South Carolina, 1976, relating to the implied consent to chemical breath tests to determine the presence of alcohol or drugs in operators of motor vehicles, so as to increase from ninety to one hundred twenty days the time a driver's license must be suspended for refusal to submit to a chemical breath test, and to amend the 1976 code by adding Section 56-5-2953 so as to provide that a person charged with driving under the influence whose blood alcohol concentration is ten one-hundredths of one percent or more must have his driver's license suspended for a period of three months whether or not a criminal conviction results, to establish certain procedural requirements pertaining to

this provision, and to establish certain procedures whereby persons who refuse to submit to chemical breath tests or whose blood alcohol concentration is ten one-hundredths of one percent or more shall have their driver's licenses immediately seized and the required suspension expedited.

Referred to Transportation.

S. 534 -- Senator Macaulay: A bill to amend Section 56-1-40, code of laws of South Carolina, 1976, relating to persons who must not be licensed, so as to prohibit renewal of driver's licenses, to add to the list of prohibitions persons whose licenses are suspended or revoked, persons who are not residents of the United States, and persons with physical and mental disabilities who the department, with good cause, believes are not capable of safely operating a motor vehicle.

On Calendar without reference, Rec'd 2nd, Rec'd 3rd, Sent to House, Referred to Education & Public Works

S. 538 -- Senator Hayes: A bill to amend the code of laws of South Carolina, 1976, by adding Section 20-7-781 so as to provide that certain information contained in official juvenile records may be released to school officials, and to provide procedures for requests. **Referred to Education**

S. 711 -- Senator Rose: A bill to amend Section 61-9-50, code of laws of South Carolina, 1976, relating to the presentation of false information to purchase beer or wine, so as to prohibit an attempt to purchase with false verbal or written information and authorize the seller to retain the age identification used in a violation; and to amend Section 61-9-70, relating to penalties pertaining to the purchase, so as to increase the fine and term of imprisonment and provide for suspension of a driver's license. **Referred to Judiciary**

S. 731 -- Senators Elliott, Greg Smith and Rankin: A bill to amend chapter 5, title 61, code of laws of South Carolina, 1976, relating to regulation of transportation, possession, consumption, and sale of alcoholic beverages, by adding Section 61-5-185 relating to licensing of bona fide nonprofit organizations and business establishments under Section 61-5-50 when located east of the intercoastal waterway in a county where the annual accommodations tax collections exceed six million dollars. **Placed on Calendar w/out reference, Rec'd 2nd, Amended, Rec'd 3rd, Sent to House, Referred to Labor, Commerce and Industry.**

S. 822 -- Senators Bryan, Moore, Thomas, Russell, Ford, Jackson, Martin, Richter and Giese: A bill to amend the code of laws of South Carolina, 1976, by adding Section 12-21-695 so to require retailers selling tobacco products to obtain a tobacco sales

license from the south carolina tax commission, to allow tobacco products sales only to persons eighteen years of age or older, and to provide penalties; to add Section 16-17-505 so as to create offenses for distributing tobacco samples, coupons, or other promotional materials to persons under eighteen years of age and to provide penalties and an affirmative defense; to require the south carolina tax commission to provide information on tobacco sales licenses to affected retail license holders; and to repeal Section 16-17-500 relating to the unlawful sale of tobacco products to minors. Referred to Judiciary.

S. 868 -- Senators McConnell, Rose, Wilson, Giese and Martin: A bill to amend Section 44-53-370, as amended, code of laws of South Carolina, 1976, relating to trafficking in cocaine, so as to provide for a mandatory minimum term of imprisonment without parole, work release, or supervised furlough. Referred to Judiciary

S. 889 -- Senators Courson, Wilson, Giese, Rose, Lander and Mescher: A bill to amend Section 17-25-45, code of laws of South Carolina, 1976, relating to a life sentence for a person who has three convictions for certain crimes, so as to provide for a mandatory sentence of life imprisonment without parole upon a third conviction of a "most serious offense", to define "most serious offense", and to provide for the application of this section. Referred to Judiciary

S. 890 -- Senator Rose: A bill to amend title 44, code of laws of South Carolina, 1976, by adding chapter 54, so as to provide for the assessment and intervention in the perinatal effects of alcohol, controlled substances, and cigarettes; to amend Section 20-7-290 of the 1976 code, so as to provide for drug and alcohol testing and reporting by a physician providing care for a newborn child; to amend Section 20-7-510 of the 1976 code, relating to positive testing of newborns for alcohol and drug abuse, so as to not require a report of positive testing for drugs or alcohol, except in cases of abuse and neglect; to amend Section 44-7-260 of the 1976 code, so as to provide for priority access to alcohol and drug abuse services for pregnant women; to amend Section 44-49-40(c) of the 1976 code, relating to powers and duties of the alcohol and drug abuse commission; to amend Section 44-53-140 of the 1976 code, relating to the observation or conclusion of prenatal care, so as to not permit evidence in any proceeding; to amend Section 59-32-20 of the 1976 code, so as to provide for school districts to develop education programs concerning the problems on the usage of cigarettes, alcohol, and controlled substances; to amend Section 59-32-30(a) of the 1976 code, so as to provide reproductive health education instruction concerning the effects of cigarettes, alcohol, and controlled substances for persons of reproductive age; and for the general assembly to provide funding. Referred to Medical Affairs

S. 894 -- Senators Hayes, Giese, Lander and Washington: A bill to amend Section 56-5-1210, code of laws of South Carolina, 1976, relating to duties of driver involved in accident resulting in death or personal injury, so as to increase the penalties for leaving the scene of an accident when death results. Referred to Judiciary, Obj. by Reps., Anderson, Feld, Holt, Neal and Scott

S. 912 -- Senators Mitchell and Washington: A bill to amend chapter 53 of title 44, code of laws of South Carolina, 1976, relating to poisons, drugs, and other controlled substances, so as to add article 15, the mandatory drug treatment act. Referred to Medical Affairs.

S. 917 -- Senators McConnell, Giese, Hayes, Martin and Rose: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2941 so as to provide for the ten-year suspension of a driver's license for a third or subsequent conviction for violation of driving under the influence of drugs or alcohol. Referred to Judiciary

S. 932 -- Senator Mitchell: A bill to amend Section 16-1-60, as amended, code of laws of South Carolina, 1976, relating to violent crimes, so as to repeal the provisions requiring the crime to be defined as a violent crime at the time it was committed. Referred to Judiciary

S. 935 -- Senators McConnell, Wilson and Rose: A bill to amend Section 16-1-60, as amended, code of laws of South Carolina, 1976, relating to violent crimes, so as to repeal the provisions requiring the crime to be defined as a violent crime at the time it was committed. Referred to Judiciary

S. 960 -- Senator Rose: A bill to amend Section 59-63-210, code of laws of South Carolina, 1976, relating to grounds for which trustees may expel, suspend, or transfer pupils, so as to require mandatory expulsion of pupils who commit certain acts on school grounds or at school sponsored events, and to amend Section 59-63-240 of the 1976 code, relating to expulsion for the remainder of the year, so as to provide that the mandatory expulsion must last at least the remainder of the year. Referred to Education

S. 963 -- Senator Lander: A bill to amend Section 22-5-910, code of laws of South Carolina, 1976, relating to magistrate's powers and duties in criminal matters, so as to provide for expungement of

criminal records of first offense convictions involving the operation of motor vehicles and violations of title 50. Referred to Judiciary

S. 1101 -- Senator Williams: A bill to amend Section 61-3-1020, as amended, code of laws of South Carolina, 1976, relating to the prohibition against conducting other business in retail liquor stores and the exceptions to that prohibition, so as to allow retail dealers to sell nonalcoholic items, other than beer or wine, packaged together with alcoholic liquors if the nonalcoholic liquors and items are in sealed packages and are packaged together by the alcoholic liquor producer at its place of business. Referred to

S. 1143 -- Senator Wilson: A concurrent resolution proclaiming February 27 through March 5, 1994, as "midlands fighting back week". Resolution adopted, sent to House, Concurrent resolution agreed to, Ordered sent to Senate with concurrence.

S. 1157 -- Judiciary Committee: A bill to amend Section 2-25-10, as amended, code of laws of South Carolina, 1976, relating to the joint legislative committee to study criminal laws, so as to increase the membership of the committee; to amend Section 16-1-57, relating to the classification of repeat offenders for certain property crimes, so as to provide that third or subsequent offenses are class e felonies; to amend Section 16-1-60, as amended, relating to violent crimes, so as to add the offense of trafficking in crack cocaine; to amend Section 16-11-330, as amended, relating to armed robbery, so as to require a mandatory minimum term of imprisonment of not less than ten years, no part of which may be suspended or probation granted; to amend Section 22-3-545, as amended, relating to the temporary authority to transfer certain criminal cases from general sessions court to magistrate's court, so as to make permanent the authority to transfer these cases; and to provide for the prospective and retrospective application of the provisions of this act. (Abbreviated title) Carried over, Rec'd 2nd, Notice of General Amendments, Sen. Mitchell desires to be present, Rec'd 3rd.

S. 1225 -- Senator Drummond: A bill to amend the code of laws of South Carolina, 1976, by adding Section 12-2-80 so as to index to inflation the rate of tax imposed on alcoholic beverages, beer and wine, tobacco products, electric power, gasoline taxes levied for "c" funds, and soft drinks, and to provide for an inflation adjustment for the maximum sales tax on automobiles, boats, aircraft, motorcycles, and certain other items of tangible personal property. Rec'd 1st, Referred to Finance

S. 1229 -- Senators Giese, Richter, Gregory, Ryberg, Peeler, Hayes, Jackson, Thomas, Martin, Drummond, Rose, McGill and J. Verne Smith: A bill to amend the code of laws of South Carolina, 1976, by adding section 56-1-285 so as to provide for a six-month's suspension of the driver's license of a person under the age of twenty-one operating a motor vehicle who has a blood alcohol content in excess of five one-hundredths of one percent, to provide that licensed drivers under twenty-one have consented to be tested, to limit testing to incidents in which a person has been arrested for a traffic offense, to prescribe the method and procedures for testing and require an automatic six-month's suspension for refusal to be tested, to provide that the suspension begins immediately upon the officer taking possession of the license, to provide for an administrative hearing on the suspension at the driver's request, and to provide that a person whose license is suspended is not required to file proof of financial responsibility. Referred to Judiciary

S. 1237 -- Senator Passailaigue: A bill to amend Section 12-21-5020, code of laws of South Carolina, 1976, relating to definitions of the marijuana and controlled substance tax act, by striking references to the tax commission and substituting the department of revenue and taxation; to amend Section 12-21-5090, relating to measurement and assessment of marijuana and controlled substances, so as to provide for measurement and assessment of growing marijuana and dosages of crack cocaine; to amend Section 12-21-6030, relating to jeopardy assessments against dealers, so to exempt assessments under the marijuana and controlled substance tax act from the taxpayers' bill of rights; by adding Sections 12-21-6034, 12-21-6036, and 12-21-6038 so as to provide for appeals of assessments under the act within twenty days with assessments final and conclusive after that time, to authorize the waiver or reduction of the tax, interest, or penalties assessed under the act, and to require law enforcement agencies making controlled substance violations arrests to submit copies of the arrest reports to the department of revenue and taxation; to amend Section 12-21-6040, relating to confidentiality of filings, so as to reduce the criminal penalty; to amend Section 12-21-6050, relating to crediting of revenue under the act, so as to provide for apportioning of revenues between law enforcement agencies, the department of revenue and taxation, and the general fund of the state and provide for the use of the revenues by law enforcement agencies; and to repeal Section 12-21-600(b). Referred to Finance

S. 1336 -- Corrections and Penology Committee: A bill to amend Section 24-13-1520, as amended, code of laws of South Carolina, 1976, relating to prisoners and definitions under the "home detention act", so as to make changes to the definitions of "court" and "participant"; to amend Section 24-13-1530, relating to prisoners and correctional programs for which home detention may be

substituted, so as to provide, among other things, that local governments may establish by ordinance a certain alternative to incarceration for persons who are awaiting trial and for offenders whose sentences do not place them in the custody of the department of corrections; to amend Section 24-13-1560, relating to the use of an electronic monitoring device under the "home detention act", so as to provide that the participant's use of such a device is conditioned upon being instructed to use the device; and to amend Section 24-13-1590, as amended, relating to the provision that the "home detention act" is not applicable to controlled substances offenders and to the provision that probation and parole authority is not diminished by any of the provisions of the "home detention act", so as to define further and limit the type of controlled substances offender to whom the "home detention act" does not apply. On Calendar w/out reference, Rec'd 2nd, Amended, Rec'd 3rd, Referred to Med., Mil., Pub. & Mun. Affairs Committee, Rec'd 2nd, Rec'd 3rd, Enrolled for Ratification, R554

S. 1341 -- Senator Drummond: A bill to amend Section 1-30-90, code of laws of South Carolina, 1976, relating to the divisions of the department of public safety, so as to revise the sections transferred to the department; to amend Section 1-30-95, relating to the divisions of the department of revenue and taxation, so as to revise the name of the department and the sections transferred to the department; to amend Section 15-9-380, as amended, relating to the procedure used when a nonresident motorist does not accept service, so as to change the reference to the department of public safety to the department of revenue; to amend Section 23-6-20, relating to the establishment of the department of public safety, so as to revise the divisions within the department; to amend Section 23-6-30, relating to the duties and powers of the department of public safety, so as to delete the duties pertaining to license suspensions and revocations and the automated system for drivers' licensing records; to amend Section 31-17-510, as amended, relating to definitions pertaining to travel trailer sales, so as to change the reference to the department of public safety to the department of revenue; to amend Section 56-1-10, as amended, relating to definitions pertaining to drivers' licenses, so as to revise the reference to the department of revenue and taxation and change the references to the department of public safety to the department of revenue; to amend Section 56-1-270, as amended, relating to the action on a driver's license when a person is mentally or physically disabled, so as to change the reference to the department of revenue and taxation to the department of revenue; to amend Section 56-1-280, as amended, relating to mandatory suspension or revocation of a driver's license, Section 56-1-290, as amended, relating to the revocation of drivers' licenses for operating unlicensed taxis, Section 56-1-300, as amended, relating to the suspension or revocation of a driver's license without a preliminary hearing, Section 56-1-310, as amended, relating to the suspension or revocation of a nonresident driver's license, Section 56-1-320, as amended, relating to the suspension or revocation of a driver's license upon conviction in

another state, Section 56-1-330, as amended, relating to the reporting of convictions, and Section 56-1-340, as amended, relating to reports of convictions and records sent to other states, so as to change the references to the department of public safety to the department of revenue; to amend Section 56-1-350, as amended, relating to the surrender of drivers' licenses, so as to change the references to the department of public safety to the department of revenue and revise the name of the department of revenue and taxation; to amend Section 56-1-360, as amended, relating to proof of notice of a driver's license, so as to change the references to the department of public safety to the department of revenue and to the deputy director of the motor vehicle records division to the deputy director or his designee; to amend Section 56-1-365, as amended, relating to the surrender of a driver's license and penalties, Section 56-1-370, as amended, relating to the review of suspension, cancellation, or revocation of drivers' licenses, Section 56-1-380, as amended, relating to the renewal or restoration of a suspended or revoked license, and Section 56-1-390, as amended, relating to the fees to reinstate or renew a driver's license, so as to change the references to the department of public safety to the department of revenue; to amend Section 56-1-400, as amended, relating to the surrender and return of a suspended or revoked driver's license, so as to change the references to the department of public safety to the department of revenue and delete the notification requirement by the department of revenue;

Section 56-1-2130, as amended, relating to tests for alcohol and drugs for commercial drivers, and Section 56-1-2140, as amended, relating to conviction of nonresident commercial drivers, so as to change the references to the department of public safety to the department of revenue;(Abbreviated)

S. 1381 -- Judiciary Committee: A bill to amend Section 1-3-220, code of laws of South Carolina, 1976, relating to the governor filling vacancies in an office of the executive department by appointment under certain conditions, ... Section 17-22-120, as amended, relating to individual intervention agreements entered into by a defendant and the solicitor in a pretrial intervention program, so as to conform a reference to the commission on alcohol and drug abuse to the restructuring act; Section 17-25-80, relating to the authority of the commissioner of the department of corrections regarding hard labor, so as to change the name of the commissioner;(Abbreviated) Without Reference, Sens. Saleeby and Passaiglaigue.

HOUSE BILLS

H. 3012 -- Reps. P. Harris, Carnell, J. Harris and Mattos: A bill to amend the code of laws of South Carolina, 1976, by adding

section 38-71-737 so as to require an offer of coverage for mental illness in group health insurance policies and provide exemptions for health insurance plans which offer the coverage. Referred to Labor, Commerce and Industry.

H. 3031 -- Rep. J. Bailey: A bill to amend act 452 of 1973, as amended, relating to the charleston county substance abuse commission, so as to provide that members are appointed upon recommendation of the county council rather than recommendation of the county delegation. Referred to Charleston Delegation, Favorable Report, Rec'd 2nd, Rec'd 3rd, Sent to Senate, Placed on Calendar w/out Reference, Sen. Ford desires to be present, Rec'd 2nd.

H. 3113 -- Reps. Sturkie, Wright, Shissias, Corning, Jaskwich and Wells: A bill to amend act 503 of 1990, the clean indoor air act, so as to prohibit smoking in the indoor public areas of all food service establishments, to define "food service establishment"; and to designate the provisions of the clean indoor air act as chapter 95, title 44 of the code of laws of South Carolina, 1976. Referred to Agriculture & Natural Resources.

H. 3134 -- Reps. Snow, Cobb-Hunter, Haskins, Riser, Rudnick, Allison, Littlejohn, Byrd, J. Harris, Wells, Chamblee, Davenport, Baxley, Law, McTeer, Walker, Richardson, Stone, Cromer and Kennedy: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2941 so as to provide that the court in sentencing a person convicted of operating a motor vehicle under the influence of intoxicating liquor or drugs, whether or not the person is a first or subsequent offender and if he is a resident of this state, may require an ignition interlock device to be affixed to the vehicle the person was driving if registered and licensed in his name or the name of a member of his immediate family, and to provide for the terms and conditions of the use of this ignition interlock device. Referred to Judiciary

H. 3138 -- Reps. Corning, A. Young, Shissias, Harrison, Jaskwich, Allison, Robinson, Huff, Quinn, Wells, Haskins, Cato, Vaughn, Fair, Wilkins and Stone: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-1-285 so as to provide for a six-month's suspension of the driver's license of a person under the age of twenty-one operating a motor vehicle who has a blood alcohol content in excess of three one-hundredths of one percent, to provide that licensed drivers under twenty-one have consented to be tested, to limit testing to incidents in which a person has been arrested for a traffic offense, to prescribe the method and procedures for testing and require an automatic six-month's suspension for refusal to be tested, to provide that the suspension begins immediately upon the officer taking possession of the license, to provide for an administrative hearing on the suspension

at the driver's request, and to provide that a person whose license is suspended is not required to file proof of financial responsibility. Referred to Judiciary

H. 3201 -- Reps. Marchbanks, Littlejohn, H. Brown, A. Young, Wilkins, Holt, Vaughn, Fair, Hallman, Harrell, Govan, Hutson, White, Shissias, Harrison, Walker, Trotter, Byrd, Neal, Meacham, Hines, Stille, Koon, Law, T.C. Alexander, Cato, Clyborne, Mattos, M.O. Alexander, Richardson, Stuart, Robinson, Cooper, Moody-Lawrence, Simrill, Allison and Stone: A bill to amend Section 56-5-6250, code of laws of South Carolina, 1976, relating to the determination of prior convictions under the uniform act regulating traffic on highways, so as to provide that prior dui convictions may not be disregarded in a plea bargain on a dui charge. Referred to Judiciary

H. 3204 -- Rep. Kirsh: A bill to amend Section 56-5-2950, code of laws of South Carolina, 1976, relating to the implied consent to a chemical test to determine the alcoholic content of the blood of a person who operates a motor vehicle upon the public roads of this state, so as to decrease the percentages of alcohol in a person's blood used to create presumptions which must be used in determining the guilt of persons violating the provisions of Section 56-5-2930 and provide that it must be inferred that a person is under the influence of alcohol if there was at that time eight one-hundredths of one percent or more by weight of alcohol in the person's blood; and to provide a transition period for the reduction of the percentage. Referred to Judiciary

H. 3232 -- Reps. Rudnick, J. Harris, Cobb-Hunter, Corning, Davenport, Robinson, J. Bailey and Richardson: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2942 so as to require, under certain conditions, an ignition interlock device to be affixed to the vehicle of a person convicted of operating a motor vehicle under the influence of intoxicating liquor or drugs. Referred to Judiciary

H. 3259 -- Reps. Sheheen, M.O. Alexander, Hodges, Cromer, McElveen, Wilkins, Huff, Rogers and Felder: A bill to amend chapter 23 of title 1, code of laws of South Carolina, 1976, relating to state agency rule making and adjudication of contested cases by adding article 5 so as to establish the South Carolina administrative law judge division the judges of which individually shall hear, determine, and preside over contested cases of certain state agencies and commissions, and in panels shall hear workers' compensation appeals from the single commissioner level rather than a panel of the workers' compensation commission or the full commission, and to amend Section 42-3-20, relating to the workers'

compensation commission, so as to delete references to panels of the commission and the authority of these panels or the full commission to conduct reviews of single commissioner decisions. Referred to Judiciary

H. 3260 -- Reps. Sheheen, Hodges, Quinn, Wilkins, Huff, Rogers, M.O. Alexander and Clyborne: A bill to enact the South Carolina law enforcement efficiency and consolidation act of 1993 by amending article 1, chapter 3 of title 23 of the 1976 code, relating to the state law enforcement division, chapter 5, title 23, relating to the state highway patrol; Sections 57-3-10, 57-3-30, and 57-3-610, and adding Section 57-3-615 relating to various department of highways and public transportation provisions; article 3, chapter 3 of title 58, relating to the law enforcement department of the public service commission; and Sections 61-1-60, 61-3-220, 61-5-100, 61-5-140, 61-9-1050, 61-13-410, 61-13-810, and 61-13-836, relating to the alcoholic beverage control commission and the enforcement of certain alcoholic beverage laws, so as to provide that the South Carolina law enforcement division is responsible for the enforcement of all criminal laws, including traffic offenses, misdemeanors, and felonies, and civil laws, the violation of which may result in a fine or other penalty being assessed against the violator, which laws are now enforced by personnel employed by and under the jurisdiction of the alcoholic beverage control commission, the department of highways and public transportation, and the law enforcement department of the public service commission; to revise the term of the chief of the south carolina law enforcement division, to further provide for the manner in which the division must be structured and for the personnel thereof, to provide for the maintenance and service of vehicles of the division by the department of highways and public transportation, and to provide for certain transitional provisions including the transfer of personnel, appropriations, and property. Referred to Judiciary

H. 3288 -- Rep. Fair: A bill to amend Section 61-3-740, code of laws of South Carolina, 1976, relating to suspension or revocation of licenses issued by the alcoholic beverage control commission, and Section 61-13-290, relating to the unlawful sale of alcoholic liquor to a person under twenty-one years of age, so as to provide for revocation of a license for a violation of Section 61-13-290. Referred to Labor, Commerce and Industry

H. 3291 -- Reps. Fair, Simrill, Snow, Fulmer, Gamble, Robinson, Cato, A. Young, Marchbanks, Meacham, Haskins, Wilkins, D. Wilder, Wells and Clyborne: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2952 so as to make it unlawful for persons under the age of twenty-one to operate a motor vehicle with a blood alcohol content of one one-hundredths of one percent or greater by weight of alcohol, to provide penalties for violations, to provide that those persons have given their implied

consent to certain tests to determine the alcohol content of their blood, to provide the manner in which and procedures under which these tests must be administered, and to provide for certain suspensions of the driving privileges of those persons who refuse to take tests or whose blood alcohol content, as a result of the tests, is one one-hundredths of one percent or greater. Referred to Judiciary

H. 3292 -- Reps. Fair, Snow, Simrill, Fulmer, Cato, Gamble, Stone, Meacham, A. Young, Wilkins, Haskins, Wells and Clyborne: A bill to amend Section 56-5-2950, code of laws of South Carolina, 1976, relating to the implied consent to a chemical test to determine the alcoholic content of the blood of a person who operates a motor vehicle upon the public roads of this state, so as to decrease the percentages of alcohol in a person's blood used to create presumptions which must be used in determining the guilt of persons violating the provisions of Section 56-5-2930 and provide that it must be inferred that a person is under the influence of alcohol if there was at that time eight one-hundredths of one percent or more by weight of alcohol in the person's blood. Referred to Judiciary

H. 3293 -- Reps. Fair, Simrill, Snow, Fulmer, Gamble, Stuart, Cato, Robinson, Haskins, Wells, Clyborne, A. Young, Cromer, Wilkins, Marchbanks, D. Wilder, Stone, Meacham, J. Wilder and Spearman: A bill to amend Section 56-5-2950, code of laws of South Carolina, 1976, relating to chemical tests of breath, blood, and urine to determine the presence of alcohol or drugs in the operator of a motor vehicle, so as to provide that a person operating a motor vehicle involved in an accident resulting in a death must have a test provided by this section administered to determine the presence of alcohol or drugs in him. Referred to Judiciary

H. 3301 -- Reps. Neilson, Hines, Davenport, Canty, Harwell, Moody-Lawrence, Byrd, A. Young and Riser: A bill to amend title 8, code of laws of South Carolina, 1976, relating to public offices and employees by adding chapter 14 so as to establish uniform standards for pre-employment and employment drug testing of state employees, to require this drug testing under certain conditions, and to provide procedures for the confidentiality, reliability, and fairness of this drug testing. Referred to Judiciary

H. 3306 -- Reps. Corning, Holt, Fulmer, R. Young, Kinon, Byrd, J. Bailey, Hallman and Keyserling: A bill to amend the code of laws of South Carolina, 1976, by adding Section 61-9-312 so as to provide for a special version of a retail beer and wine permit for off-premises consumption only with no restrictions on the days or hours of sales; and to require the alcoholic beverage control commission to prorate the special retail permit fee provided in Section 61-9-312 for the 1993-94 license year. Referred to Labor, Commerce and Industry

H. 3329 -- Rep. Sheheen: A bill to amend Sections 20-7-600, 20-7-770, 20-7-780, and 20-7-3300, all as amended, and Section 20-7-1335, code of laws of South Carolina, 1976, relating to the confidentiality of juvenile criminal records, so as to remove the confidentiality of these records for violent crimes, for crimes in which an illegal weapon was used, and for violations of the "narcotics and controlled substances" article; to allow fingerprinting and the release to the public of the name, identity, and picture of a juvenile charged with these crimes; and to prohibit expungement of these records. Referred to Judiciary, Favorable w/Amendment

H. 3341 -- Reps. Davenport, Allison, Beatty, Lanford, Littlejohn, D. Smith, Vaughn, Walker, Wells, D. Wilder, Farr, McCraw and Phillips: A joint resolution to direct the South Carolina commission on alcohol and drug abuse to allocate to the spartanburg alcohol and drug abuse commission a portion of federal funds appropriated to the state under public law 102-321 to establish a detoxification program to serve women and youth in Spartanburg, Union, and Cherokee counties. Referred to Ways and Means

H. 3345 -- Reps. Jennings, Martin and Huff: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-1-285 so as to provide that the department of highways and public transportation shall suspend for ninety days the driver's license of any person under the age of twenty-one who is determined to have a blood alcohol content of four one-hundredths of one percent or above when operating a motor vehicle, to provide the procedures to be followed for this suspension and that it is in addition to any other penalties imposed by law; to amend the 1976 code by adding Section 56-1-286 so as to provide that the department shall suspend for ninety days the driver's license of any person twenty-one years of age or older who is determined to have a blood alcohol content of fifteen one-hundredths of one percent or above when operating a motor vehicle, to provide the procedures to be followed for this suspension and that it is in addition to any other penalties imposed by law; and to amend the 1976 code by adding Section 56-5-2951 so as to provide that a person arrested for certain violations of law regarding the consumption of alcohol while driving a motor vehicle must have his conduct videotaped at the location he is taken for purposes of administering a chemical test of his breath, to provide the procedures which must be followed for this videotaping and for the fee to be assessed in these cases. Referred to Judiciary, Favorable w/amendment, Referred to Ways and Means, Favorable w/amendments, Objections by Reps. Breeland, Felder, Holt, Inabinett, Whipper and Williams.

H. 3353 -- Rep. Fair: A bill to abolish the South Carolina alcoholic beverage control commission and transfer its regulatory

powers, duties, and responsibilities to the south carolina tax commission and its regulation and law enforcement and inspection responsibilities to the state law enforcement division; to amend the code of laws of South Carolina, 1976, by adding Section 61-1-100 so as to provide for approval of a new application for a license or permit issued under title 61 by a local planning commission, provide for license and permit renewal, and define local planning commission; to amend Sections 61-1-10 and 61-1-20, relating to the alcoholic beverage control commission, so as to abolish the commission and provide for the appointment of an alcoholic beverage control hearing officer within the tax commission to be appointed by the governor with the advice and consent of the senate and for the term, duties, powers, and qualifications of the officer; to amend Sections 61-1-60, 61-1-65, 61-1-70, 61-1-80, 61-1-90, 61-1-95, and 61-3-20, relating to the enforcement of regulations governing alcoholic beverages and beer and wine, prohibitions as to certain activities or interests by members or employees of the alcoholic beverage control commission,.....(Abbreviated)Referred to Judiciary

H. 3430 -- Rep. Harrelson: A bill to enact the South Carolina law enforcement commission act of 1993 by adding chapter 49 to title 23 of the 1976 code, so as to create the South Carolina law enforcement commission, provide for its membership, duties and powers and responsibilities;.....

Article 3, chapter 3 of title 58, relating to the law enforcement department of the public service commission; Sections 61-1-60, 61-3-220, 61-5-100, 61-5-140, 61-9-1050, 61-13-410, 61-13-810, and 61-13-836, relating to the alcoholic beverage control commission and the enforcement of certain alcoholic beverage laws, and so as to provide that the south carolina law enforcement commission is responsible for the enforcement of all criminal laws, including traffic offenses, misdemeanors, and felonies, and civil laws, the violation of which may result in a fine or other penalty being assessed against the violator, which laws are now enforced by personnel employed by and under the jurisdiction of the alcoholic beverage control commission, the department of highways and public transportation, the wildlife and marine resources commission,

To abolish the South Carolina alcoholic beverage control commission and transfer its regulatory powers, duties, and responsibilities to the South Carolina tax commission and its regulation and law enforcement and inspection responsibilities to the South Carolina law enforcement commission; to amend Sections 61-1-10 and 61-1-20, code of laws of South Carolina, 1976, relating to the alcoholic beverage control commission, so as to abolish the commission and provide for the appointment of an alcoholic beverage control hearing officer within the tax commission to be appointed by the governor with the advice and consent of the senate, to provide for the term, duties, powers, and qualifications of the officer; to amend Sections 61-1-60, 61-1-65, 61-1-70, 61-1-80,

61-1-90, 61-1-95, and Section 61-3-20, relating to the enforcement of regulations governing alcoholic beverages and beer and wine,.....Referre to Judicairy

H. 3491 -- Reps. Neilson, Quinn, Govan, Cobb-Hunter, G. Brown, Sturkie, Eutson, Holt, Harwell, Richardson, McLeod, Hines, Breeland, Canty, Shissias, Davenport, Fair, Trotter, Harrell, Chamblee, McMahan, Allison, Vaughn, Wright, Inabinett, Gonzales, Harrison, Corning, Lanford, Walker, Meacham, D. Wilder and Stone: A bill to amend title 8, code of laws of South Carolina, 1976, relating to public offices and employees by adding chapter 10 so as to authorize certain drug and alcohol testing of prospective state employees. Referred to Labor, Commerce and Industry, Rec's 2nd, Rec'd 3rd, Sent to Senate

H. 3538 -- Rep. Davenport: A joint resolution proposing an amendment to article xv of the constitution of South Carolina, 1895, relating to impeachment of certain officers, by adding Section 4, so as to provide for recalling and removing from public office persons holding state or local government offices filled by a vote of qualified electors and to require the general assembly to enact implementing legislation. Referred to Judiciary

H. 3571 -- Rep. Harwell: A joint resolution proposing an amendment to Section 14, article iii of the constitution of South Carolina, 1895, relating to immunity from prosecution for members of the general assembly during the legislative session, so as to provide that this immunity from prosecution does not extend to traffic offenses involving reckless driving or operating a motor vehicle under the influence of alcohol or drugs and to provide that the general assembly by law may also impose penalties or sanctions on its members, including the loss of legislative license plates, upon conviction for multiple traffic offenses. Referred to Judiciary

H. 3590 -- Rep. Farr: A bill to amend Section 20-7-410, code of laws of South Carolina, 1976, relating to reports of traffic violations by juveniles, so as to include all violations which affect the juvenile's privilege to operate a motor vehicle. Referred to Judiciary, <Companion Bill Passed 8.1096>

H. 3594 -- Rep. T.C. Alexander: A bill to amend the code of laws of South Carolina, 1976, by adding Section 61-1-105 so as to provide for a refund of a portion of a biennial license or permit when a licensee or permittee dies or closes the business. Referred to Ways and Means, Favorable w/amendment, Rec'd 2nd, Rec'd 3rd, Sent to Senate, Referred to Judiciary

H. 3638 -- Reps. Wilkins, Clyborne, Huff, Quinn, Wright, Corning and Baxley: A bill to amend Section 56-5-2950, code of laws of South Carolina, 1976, relating to the implied consent to chemical breath tests to determine the presence of alcohol or drugs in operators of motor vehicles, so as to increase from ninety to one hundred twenty days the time a driver's license must be suspended for refusal to submit to a chemical breath test, and to amend the 1976 code by adding Section 56-5-2953 so as to provide that a person charged with driving under the influence whose blood alcohol concentration is ten one-hundredths of one percent or more must have his driver's license suspended for a period of three months whether or not a criminal conviction results, to establish certain procedural requirements pertaining to this provision, and to establish certain procedures whereby persons who refuse to submit to chemical breath tests or whose blood alcohol concentration is ten one-hundredths of one percent or more shall have their driver's licenses immediately seized and the required suspension expedited. Referred to Judiciary

H. 3720 -- Reps. Gonzales, A. Young, Barber, J. Bailey, Harrell, Fulmer, Wofford, Holt, Meacham, Simrill, Riser, Richardson, Vaughn, Whipper, Byrd, Inabinett, Breeland, McTeer, H. Brown, Hines and M.O. Alexander: A bill to amend Section 61-5-190, code of laws of South Carolina, 1976, relating to the authority of the South Carolina alcoholic beverage control commission to regulate alcoholic beverage retail sales location operations, so as to provide that no provision of title 61 pre-empts a county or municipality from prohibiting the sale of alcoholic beverages during certain hours and to provide that existing ordinances prohibiting certain sale hours are confirmed and ratified. Referred to Labor, Commerce and Industry

H. 3747 -- Reps. Wilkins, Hodges and Huff: A bill to amend Section 61-13-287, code of laws of South Carolina, 1976, relating to the transfer or gift of beer, wine, or alcoholic liquor to a person under twenty-one years of age, so as to delete the references to giving and consumption, provide for the section to apply to the transfer of possession, and revise the exceptions. Referred to Judiciary, Favorable w/ amendment, Rec'd 2nd, Rec'd 3rd, Sent to Senate, Amended, Rec'd 2nd, Notice of general amendments, Sens. Richter, Land and Martin desire to be present, Rec'd 3rd.

H. 3786 -- Reps. Simrill, Harrelson, G. Brown, R. Smith, G. Bailey, Neilson, Hines, Phillips, Davenport, Walker, Shissias, Littlejohn, Allison, Wofford, Stone, Stuart, Meacham, Robinson, Trotter, White, Wright, Neal, McTeer, Thomas, Quinn, Hutson, Corning, Harrell, D. Wilder and Gonzales: A bill to amend Section 56-1-515, code of laws of South Carolina, 1976, relating to the unlawful alteration of a motor vehicle driver's license, so as to increase the penalty for violation. Referred to Judiciary

H. 3806 -- Rep. Gonzales: A bill to amend Sections 4-9-25 and 5-7-30, as amended, code of laws of South Carolina, 1976, relating to powers of counties and municipalities, so as to provide that counties and municipalities may prohibit the sale of beer, wine, and alcoholic beverages during certain hours and to provide that existing ordinances prohibiting certain sale hours are confirmed and ratified. Referred to Judiciary

H. 3889 -- Reps. McAbee and R. Young: A bill to amend the code of laws of South Carolina, 1976, by adding article 5 to chapter 5, title 61 so as to provide for hospitality cabinets. Referred to Labor, Commerce and Industry, Favorable w/amendment, Amended, Rec'd 2nd, Rec'd 3rd, Sent to Senate, Referred to Judiciary.

H. 3891 -- Reps. Tucker, Jennings and Martin: A bill to amend the code of laws of South Carolina, 1976, by adding Section 19-11-65 so as to provide a list of crimes involving moral turpitude that may be used to impeach a witness. Referred to Judiciary

H. 3895 -- Reps. Kelley, Keegan, Wilkes, Hallman, Sharpe, Fulmer, Witherspoon, McAbee, Harrell and Trotter: A bill to amend the code of laws of South Carolina, 1976, by adding Section 61-5-23 so as to provide a limitation on the issuance of private organization or club sale and consumption licenses by the alcoholic beverage control commission. Referred to Labor, Commerce and Industry

H. 3896 -- Reps. Cromer, T.C. Alexander and Carnell: A bill to amend the code of laws of South Carolina, 1976, by adding Section 61-1-115 so as to provide for transfer of a biennial license or permit to sell alcoholic liquors or beer or wine if the location of the business is changed and provide for a refund of a portion of the license or permit fee when a licensee or permittee closes the business or dies.

H. 3932 -- Rep. Fair: A bill to amend the code of laws of South Carolina, 1976, by adding Section 16-17-750 so as to prohibit a practicing homosexual or user of illegal intravenous drugs from donating blood and to provide for penalties; and to amend Section 16-1-60, as amended, relating to crimes classified as felonies, so as to include the crime provided for in this act.

H. 3968 -- Rep. Kirsh: A bill to amend Sections 12-21-1060, 12-37-330, and 12-33-485, code of laws of South Carolina, 1976, relating to the two percent discount on the timely payment of beer and wine license taxes, the two and sixty-five hundredths percent discount, not to exceed seven hundred fifty dollars a month, on the timely payment of the gasoline tax, and the one percent discount,

not to exceed forty thousand dollars in a fiscal year, on the timely payment of the alcoholic liquor tax, so as to limit all these discounts to not more than three thousand dollars in one fiscal year.

H. 3981 -- Rep. Fair: A bill to prohibit the use of state funds to pay for an abortion.

H. 4003 -- Reps. Rogers, Baxley, Harvin, Keyserling, Waldrop, Snow, Rudnick, Cobb-Hunter, Waites and J. Bailey: A bill to amend the code of laws of South Carolina, 1976, by adding Section 56-5-2947 so as to provide that when a person commits reckless homicide or certain other drug and alcohol-related motor vehicle offenses and a minor was a passenger in the vehicle at the time of the offense, the person is guilty of the offense of child endangerment and must be penalized by a mandatory fine or imprisonment not less than one-half of the maximum fine or imprisonment given for the original offense, to provide that the arresting officer shall proceed with emergency protective custody pursuant to certain procedures, and to provide that a person may be convicted of child endangerment in addition to the other offenses.

H. 4004 -- Reps. Rogers, Kirsh, Baxley, Harvin, Keyserling, Waldrop, Snow, Rudnick, Cobb-Hunter, Waites and J. Bailey: A bill to amend Section 56-5-2910, code of laws of South Carolina, 1976, relating to reckless homicide, so as to increase the term of imprisonment.

H. 4005 -- Reps. Rogers, Kirsh, Baxley, Harvin, Keyserling, Waldrop, Snow, Rudnick, Cobb-Hunter, Waites and J. Bailey: A bill to amend Section 16-1-60, code of laws of South Carolina, 1976, relating to the definition of "violent crime", so as to include the crime of injuring or killing a person while operating a vehicle under the influence of alcohol or drugs as provided in Section 56-5-2945.

H. 4032 -- Reps. Wilkins and Clyborne: A bill to amend the code of laws of South Carolina, 1976, by adding Sections 20-7-495, 20-7-496, 20-7-497, and 20-7-498 so as to provide that drug tests must be administered to newborns and their mothers, that positive results must be reported to the South Carolina department of social services, to provide immunity for good faith reporting, to provide that a newborn testing positive is an abused child, that within twenty-four hours of a positive drug test an assessment must be conducted to indicate services needed, and to make it a criminal offense to cause a newborn to test positive for drugs; to add Section 44-53-443 so as to make it unlawful to ingest controlled substances during pregnancy; to amend title 44, relating to health, by adding chapter 54 so as to provide for prenatal alcohol, drug,

and cigarette abuse counseling; to require the south carolina department of health and environmental control and the South Carolina commission on alcohol and drug abuse to develop and provide educational materials and to implement an ongoing public relations campaign; and to prohibit a facility from denying a pregnant woman services related to alcohol or drug abuse; to amend Section 20-7-290, relating to health services for minors, so as to provide that these services may be performed without parental consent if an operation essential to the minor's health or life is involved; to amend Section 44-49-40, relating to powers and duties of the South Carolina commission on alcohol and drug abuse, so as to require that the commission coordinate certain prenatal substance abuse matters; to amend Section 59-32-20, relating to the state department of education developing a comprehensive health education program, so as to require schools to include prenatal and postnatal use of alcohol, drugs, and cigarettes; to amend Section 59-32-30, relating to local school boards to implement a comprehensive health education program, so as to include the prenatal effects of cigarettes, alcohol, and drugs to pregnant women.

H. 4043 -- Reps. Kelley, McAbee, Keegan and Witherspoon: A bill to amend section 61-3-1020, as amended, code of laws of South Carolina, 1976, relating to the prohibition on the conduct of other business in retail alcoholic liquor stores, so as to change the references to drinking glassware to nonalcoholic items.

H. 4051 -- Rep. Wilkes: A bill to amend Section 40-43-150, as amended, code of laws of South Carolina, 1976, relating to certain drugs that only may be sold on prescription, so as to include physicians' assistants among those professionals who may prescribe medications; to amend Section 40-47-25, as amended, relating to physicians' assistants, so as to delete provisions relating to the number of assistants a physician may supervise; and to amend Section 44-53-290, relating to registration for manufacturing, distributing, or dispensing controlled substances, so as to authorize the department to issue registrations to nurse practitioners and physicians' assistants for prescribing schedule v controlled substances.

H. 4055 -- Reps. Rogers, Meacham, G. Bailey, Wofford, Barber, Fulmer, Simrill, Baxley, Harvin, McAbee, Waldrop, Snow, Rudnick, Waites, J. Bailey, Wells, Vaughn and H. Brown: A joint resolution proposing an amendment to article I of the constitution of South Carolina, 1895, relating to declaration of rights, by adding Section 24 so as to provide for the "victims' bill of rights".

H. 4066 -- Reps. Govan, Moody-Lawrence, Kirsh and Fair: A bill to amend the code of laws of South Carolina, 1976, by adding Section 16-17-760 so as to prohibit the sale and use of cigarette or

tobacco paper.

H. 4118 -- Reps. Neal, Moody-Lawrence, Inabinett, Cobb-Hunter, Whipper, Anderson and Beatty: A bill to amend Section 12-21-620, code of laws of South Carolina, 1976, relating to tax rates on products containing tobacco, so as to increase taxes on each cigarette from three and one-half mills to ten mills, and to dedicate this increase to supplement medicaid funding.

H. 4245 -- Reps. Whipper, Harrelson, Mattos, Worley, Neilson, Inabinett, G. Bailey, Delleney, Felder, White, Holt, Fulmer, Hallman, Shissias, McTeer, Govan, Farr, Breeland, Sinrill, Harrison, Stille, Harrell, Corning, Barber, Scott, Hutson, Houck, Phillips, Meacham, A. Young, Davenport and Harwell: A bill to amend the code of laws of South Carolina, 1976, by adding Section 16-3-1045 so as to make it unlawful for any person at least eighteen years of age to use, solicit, induce, coerce, or employ a person under eighteen to commit a violent crime or the crime of lynching, to also make it unlawful to conspire to do the above, to provide penalties for violation, and to amend Section 16-1-10, relating to crimes classified as felonies, so as to add the above offenses which are made felonies to this list.

H. 4303 -- Reps. T.C. Alexander, Davenport, Kirsh, Walker, Haskins, Meacham, Snow, Rudnick, Allison, Richardson and Harvin: A bill to amend Section 44-53-370, as amended, code of laws of South Carolina, 1976, relating to trafficking in cocaine, so as to provide for a mandatory minimum term of imprisonment without parole, work release, or supervised furlough.

H. 4338 -- Reps. Martin, Corning, Davenport, Walker and Meacham: A bill to amend Section 44-53-370, as amended, code of laws of South Carolina, 1976, relating to trafficking in cocaine, so as to provide for a mandatory minimum term of imprisonment without parole, work release, or supervised furlough; and to amend Section 44-53-375, as amended, relating to possession, sale, manufacture, and distribution of ice, crank, or crack cocaine, so as to provide for a mandatory minimum term of imprisonment without parole, work release, or supervised furlough, to define prior convictions for purposes of sentencing, and to provide the punishment for conspiracy to violate this section.

H. 4350 -- Reps. Wilkins, M.O. Alexander, T.C. Alexander, Allison, Askins, J. Bailey, Baxley, Beatty, H. Brown, Carnell, Cato, Chamblee, Clyborne, Cooper, Cromer, Delleney, Elliott, Farr, Felder, Fulmer, Gamble, Gonzales, Graham, Hallman, P. Harris, Harrison, Harvin, Harwell, Haskins, Hines, Hodges, Hutson, Jennings, Keegan, Kinon, Kirsh, Klauber, Koon, Lanford, Law, Littlejohn, Marchbanks, Martin, Mattos, McAbee, McCraw, McKay,

McTeer, Meacham, Neilson, Phillips, Quinn, Richardson, Riser, Robinson, Scott, Shissias, Simrill, R. Smith, D. Smith, Snow, Spearman, Stille, Stone, Stuart, Thomas, Trotter, Tucker, Vaughn, Waites, Waldrop, Walker, Whipper, D. Wilder, Wilkes, Witherspoon, Wright, A. Young, R. Young, Huff, Corning, Fair, Kelley, Davenport, Jaskwhich, Inabinett, Sharpe, J. Wilder, Harrell and Breeland: A bill to amend Section 44-53-370, as amended, code of laws of South Carolina, 1976, relating to trafficking in cocaine, so as to provide for a mandatory minimum term of imprisonment without parole, work release, or supervised furlough; to amend Section 44-53-375, as amended, relating to possession, sale, manufacture, and distribution of ice, crank, or crack cocaine, so as to provide for a mandatory minimum term of imprisonment without parole, work release, or supervised furlough and to define prior convictions for purposes of sentencing; and to amend Section 16-1-60, as amended, relating to the list of violent crimes, so as to add trafficking in crack cocaine.

H. 4365 -- Reps. Wilkins, Vaughn, Allison, Elliott and Harrell: A bill to amend Section 16-1-60, as amended, code of laws of South Carolina, 1976, relating to violent crimes, so as to repeal the provisions requiring the crime to be defined as a violent crime at the time it was committed.

H. 4402 -- Reps. Thomas, Rudnick and Keyserling: A joint resolution proposing an amendment to Section 1, article viii-a of the constitution of South Carolina, 1895, relating to powers of the general assembly pertaining to alcoholic liquors and beverages, so as to delete detailed requirements for the regulation of alcoholic liquors and beverages and authorize the general assembly to regulate their consumption.

H. 4404 -- Reps. Simrill, Walker and Meacham: A bill to amend Section 56-5-1210, code of laws of South Carolina, 1976, relating to duties of driver involved in accident resulting in death or personal injury, so as to increase the penalties for leaving the scene of an accident when death results.

H. 4406 -- Reps. Thomas, Rudnick and Keyserling: A bill to amend Section 61-5-20, as amended, code of laws of South Carolina, 1976, relating to the transportation, possession, and consumption of alcoholic liquor, so as to delete the provisions for alcoholic liquors in sealed containers of two ounces or less and provide for alcoholic liquor by the drink; and to amend Section 61-5-130, as amended, relating to the tax on alcoholic liquors in sealed containers of two ounces or less, so as to delete the tax on the containers and related requirements and provide for a tax on each liter.

H. 4414 -- Reps. Phillips, Allison, Waites, Rudnick, J. Wilder, Jaskwich, Walker, Corning, Rogers, Stuart, Waldrop and Gamble: A bill to enact the "schoolhouse safety alliance act of 1994"

H. 4423 -- Rep. Farr: A bill to amend Section 20-7-410, as amended, code of laws of South Carolina, 1976, relating to jurisdiction of certain violations by juveniles, so as to require the family courts to report also violations that affect the juvenile's privilege to drive; to amend Section 56-1-745, as amended, relating to suspension of driver's licenses for controlled substance violations, so as to make technical corrections and to define controlled substance violations; to amend Section 56-1-747, relating to what constitutes a conviction for suspension purposes, so as to include juvenile proceedings.

H. 4557 -- Rep. Simrill: A bill to amend Section 44-95-20, code of laws of South Carolina, 1976, relating to places where smoking is prohibited under the clean indoor air act of 1990, so as to provide that local school district boards are not prohibited from making school district facilities smoke free; to provide an exception for governmental entities that had a nonsmoking policy in effect in governmental buildings before August 1, 1990; and to designate the provisions of the clean indoor air act as chapter 95, title 44 of the code of laws of South Carolina, 1976.

H. 4659 -- Reps. Hodges, Gonzales, Cromer and Delleney: A bill to amend the code of laws of South Carolina, 1976, by adding Section 14-1-205 so as to provide that all costs, fees, fines, penalties, forfeitures, and other revenue generated by the circuit courts and family courts must be remitted 56 percent to the county and 44 percent to the state and to provide exceptions; by adding Section 14-1-206 so as to provide an assessment equal to 62 percent of a criminal fine imposed in general sessions and family court and to provide for the collection and distribution of the assessment; by adding Section 14-1-207 so as to provide an assessment equal to 88 percent of a criminal fine imposed in magistrates' court and to provide for the collection and distribution of the assessment; by adding Section 14-1-208 so as to provide an assessment equal to 68 percent of a criminal fine imposed in municipal court and to provide for the collection and distribution of the assessment; by adding Section 11-5-175 so as to require the state treasurer to provide a quarterly report to each department or agency that receives money collected pursuant to Sections 14-1-205, 14-1-206, 14-1-207, and 14-1-208; and by adding Section 11-7-25 so as to require the state auditor to examine the books and records of the clerks of court, magistrates, and municipal courts for compliance with Sections 14-1-205, 14-1-206, 14-1-207, and 14-1-208; to amend Section 8-21-310, as amended, relating to fees and costs generally, so as to delete the requirement of dividing the fifty-five dollar filing fees; to amend Section 14-17-725, relating to collection cost for fines paid on installments, so as to provide for

collecting cost for assessments paid on installments; to amend Section 16-23-50, as amended, relating to penalties for certain weapons violations, so as to delete remittance of the fine to municipalities; to amend Section 22-3-545, relating to the transfer of certain criminal cases from general sessions, so as to provide for the distribution of money collected pursuant to Section 14-1-205; to amend Section 44-53-310, relating to civil fines for violation of registration of controlled substances, so as to provide that fines must be remitted to the state treasurer for deposit and benefit of the department of mental health for its drug addiction treatment facilities; to amend Section 44-53-370, as amended, relating to the possession of certain controlled substances, so as to revise the distribution of fines and forfeitures; to amend Section 48-1-350, relating to disposition of penalties collected for violation of the pollution control act, so as to revise disposition of civil and criminal penalties; to amend Section 56-1-190, relating to having a driver's license in possession, so as to delete provisions allowing reduction of court costs; to amend Section 56-3-1971, as amended, relating to handicap parking violations, so as to delete the five dollar assessment; to amend Section 56-5-1520, as amended, relating to fines for speeding, so as to delete the allocation of a portion of the fine to the general fund; to amend Section 56-5-2940, as amended, relating to penalties for driving under the influence of intoxicating liquors or narcotic drugs, so as to delete remittance of a portion of the fine to the state office of victim assistance; and to amend Section 56-5-2950, as amended, relating to implied consent to chemical tests of breath, blood, and urine, so as to delete the fifty dollar fee; to repeal Sections 14-1-210 relating to the establishment of cost of court fee to fund certain programs; 14-1-212 relating to the imposition of an additional fee in general sessions court; 14-1-213 relating to fees for certain defense of indigents; 16-11-700(e)(6) relating to assessments for litter violations; 20-7-1510 relating to the disposition of fines, forfeitures, and other revenues; 24-23-210 relating to fees assessed on persons convicted of criminal offenses for the purpose of defraying the costs of community corrections programs; 44-53-580 relating to the disposition of fines; 56-1-725 relating to traffic points assessment; 61-13-480 and 61-13-490 both relating to distribution of certain fines and assessments.

H. 4661 -- Reps. J. Harris and Phillips: A bill to amend Section 56-1-140, code of laws of South Carolina, 1976, relating to contents of driver's license, so as to require the department of revenue and taxation to place on the license "don't drink & drive, don't litter sc".

H. 4818 -- Rep. Hodges: A bill to amend Section 1-3-220, code of laws of South Carolina, 1976, relating to the governor filling vacancies in an office of the executive department by appointment under certain conditions,.....

To the restructuring act; Section 19, part ii, act 164 of 1993, relating to referendums for the continuation of payouts for video poker machines, so as to conform references to tax commission to the restructuring act; Sections 12-21-5020, 12-21-5030, 12-21-5040, 12-21-6010, 12-21-6040, and 12-21-6050, relating to the marijuana and controlled substance tax act, so as to change references to the tax commission to conform to the restructuring act;

Section 17-22-120, as amended, relating to individual intervention agreements entered into by a defendant and the solicitor in a pretrial intervention program, so as to conform a reference to the commission on alcohol and drug abuse to the restructuring act;
.....(Abbreviated)

H. 4847 -- Rep. G. Bailey: A bill to amend Section 61-3-461, as amended, code of laws of South Carolina, 1976, relating to restrictions on the number of retail liquor stores in which a person may have an interest, so as to delete a provision which stipulates that an interest of a relative by blood or marriage within the second degree of any person constitutes an interest of that person for purposes of this restriction.

H. 4942 -- Rep. D. Smith: A bill to amend the code of laws of South Carolina, 1976, by adding Section 44-53-377 so as to provide for the offense of attempting to possess or purchase a controlled or imitation controlled substance and for penalties; to amend Section 16-1-60, as amended, relating to the definition of violent crime, so as to include an additional section pertaining to drug trafficking; to amend Section 16-19-130, relating to the crimes of betting, pool selling, and bookmaking, so as to revise the penalties; to amend Section 16-19-160, relating to punchboards for gaming, so as to revise the penalties; to amend Section 44-53-370, as amended, relating to the offenses for trafficking in controlled substances, so as to provide additional penalties for trafficking in marijuana; to amend Section 44-53-375, as amended, relating to the offenses pertaining to ice, crank, and crack cocaine, so as to delete the offense for "attempting to possess" the drug and revise the penalties; to amend Section 44-53-391, relating to drug paraphernalia, so as to revise related offenses and penalties; and to amend Section 44-53-450, relating to conditional discharges for the first offense pertaining to illegal drugs, so as to include an additional offense to which the discharge applies and correct an obsolete reference.

H. 4968 -- Rep. Jennings: A bill to amend the code of laws of South Carolina, 1976, by adding Section 20-7-385 so as to make it unlawful for a person under seventeen years of age to loiter on the premises of a store that sells beer, wine, alcoholic liquor, or other alcoholic beverages.

H. 5010 -- Reps. Gonzales, Meacham, Harrelson, Hines, Kelley, Hallman, A. Young, J. Bailey, Inabinett, Thomas, Stone, Kirsh, Huff, Haskins, Stille, Robinson, Simrill, Beatty, Wofford, Hutson, Moody-Lawrence, J. Harris, Davenport and Mattos: A bill to amend Section 61-3-461, as amended, code of laws of South Carolina, 1976, relating to the limit on retail liquor store licenses issued to a single person, so as to provide that the extension of the limit on interest to relatives within the second degree applies to relatives residing in the person's household and to provide that the limit on interests in retail liquor stores beyond the maximum of three applies to financial interests.

H. 5057 -- Judiciary Committee: A bill to amend title 2, code of laws of South Carolina, 1976, by adding chapter 48 so as to enact the community corrections incentive act to enable courts to sentence nonviolent offenders to less costly community correctional facilities for housing both state and local inmates in alternative sentencing programs;....

By adding article 17, chapter 13, title 24 so as to enact the South Carolina incarceration reimbursement act; by adding article 19, chapter 13, title 24 so as to establish the center for alcohol and drug rehabilitation; by adding Section 24-21-560 so as to require all prisoners who commit a crime after december 31, 1994, to satisfactorily complete a community supervision program operated by the department of probation and community supervision and to specify the requirements of the program; (Abbreviated)

H. 5060 -- Rep. Clyborne: A bill to amend the code of laws of South Carolina, 1976, by adding Section 44-53-447 so as to make it unlawful for a person to distribute, sell, purchase, manufacture, or to lawfully possess with intent to distribute, a controlled substance while in, on, or within a one-half mile radius of a housing project, housing development, or residential housing and to provide penalties for violations.

TABLED

H. 3025 -- Rep. Tucker: To abolish the South Carolina alcoholic beverage control commission as a separate agency or department of state government; to transfer all of the powers, duties, functions, rights, and privileges of the south carolina alcoholic beverage control commission to the south carolina law enforcement division; to provide that the south carolina law enforcement division shall maintain and operate a division of alcoholic beverage control for the purposes of administering all of the provisions of law formerly administered by the south carolina alcoholic beverage control commission;.....

To amend Section 61-1-40, code of laws of South Carolina, 1976,

relating to the transfer of certain powers and duties of the tax commission to the alcoholic beverage control commission, so as to, among other things, delete certain language and provide that all powers and duties under the laws of this state concerning the regulation of alcoholic beverages and beer and wine are vested in the South Carolina law enforcement division acting through its division of alcoholic beverage control;(Abbreviated)

H. 3069 -- Reps. Rudnick, Phillips, Spearman, Felder, Cromer, J. Bailey and Baxley: A bill to amend the code of laws of South Carolina, 1976, by adding Section 16-3-65 so as to establish the crime of reckless endangerment and provide a penalty for violation.

H. 3131 -- Rep. Kirsh: A bill to amend Section 56-1-745, as amended, code of laws of South Carolina, 1976, relating to driver's license suspension due to certain misuse of driver's license offenses and underage purchase and possession of alcohol offenses, so as to provide that if a person is accepted into a pretrial intervention program for any such offense, the person's driver's license must be suspended.

H. 3294 -- Reps. Fair, Simrill, Snow, Fulmer, Gamble, Stuart, A. Young, Robinson, Marchbanks, Cato, Stone, Meacham, Wilkins and D. Wilder: A bill to amend Section 56-1-746, as amended, code of laws of South Carolina, 1976, relating to the suspension of the driver's license of persons convicted of certain driver's license and alcohol-related offenses, so as to provide that the license of a person accepted into a pretrial intervention program on being charged with one of these offenses must be suspended as if the person was convicted and to require the circuit solicitor to report the person's acceptance into the program to the department of highways and public transportation.

H. 3503 -- Rep. Davenport: A bill to amend the code of laws of South Carolina, 1976, by adding Section 61-3-415, so as to provide that all powers in chapter 3, title 61, conferred upon the alcoholic beverage control commission regarding the issuance of licenses are devolved upon the governing body of each county and require that all licenses issued in a county must be issued by the governing body of that county.

H. 3537 -- Rep. McAbee: A bill to amend chapter 5, title 61, code of laws of South Carolina, 1976, relating to regulation of transportation, possession, consumption, and sale of alcoholic beverages, by adding Section 61-5-185 relating to licensing of bona fide nonprofit organizations and business establishments under Section 61-5-50 when located east of the intercoastal waterway in a county where the annual accommodations tax collections exceed six million dollars.

H. 3656 -- Rep. D. Smith: A bill to amend the code of laws of South Carolina, 1976, by adding Section 38-3-65 so as to allow the chief insurance commissioner to suspend the driver's license of a driver, for a period not to exceed thirty days, under certain conditions and circumstances;.....

To amend the 1976 code by adding Section 56-1-467 so as to provide that in addition to all other penalties provided by law a person may have his license to drive suspended for six months if he is convicted of, or pleads guilty or nolo contendere to, five traffic offenses in a one-year period or is convicted of, or pleads guilty or nolo contendere to, driving under the influence of alcohol or drugs two or more times in a one-year period, and provide that this suspension can be waived only upon a showing to the commissioner of extreme hardship and substantial rehabilitation;.....(Abbreviated)

The Committee has continuously stayed abreast of the activities of those agencies deeply involved in the alcohol and drug problem. In the following pages is a short synopsis of the activities of these agencies as they reported to the Committee. These reports have been included verbatim as submitted by the agency.

THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES

The South Carolina Department of Alcohol and Other Drug Abuse Services Alcohol and other drug abuse continues to affect every community in South Carolina and creates a tremendous burden for our society and its citizens. Not only does it adversely affect the health of South Carolinians, it also negatively impacts the social and economic conditions of the state. To counter the effects of alcohol and drug abuse, the Department of Alcohol and Other Drug Abuse Services has adopted the following mission statement:

"The mission of the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) is to reduce the negative health, social and economic consequences resulting from the use of alcohol and other drugs. Through a variety of primary prevention, intervention and treatment strategies, the DAODAS works with numerous other state and local agencies and organizations to reduce and control problems related to the use of these substances. The goal of the department is to provide

affordable and accessible quality services to the general public as well as special and high-risk populations in an effort to create a safer and healthier environment for all citizens of the state of South Carolina".

During FY94, the DAODAS in its first year of operation as a department within the Governor's Cabinet following the passage of Act 265, "The State Government Accountability and Reform Act of 1993", worked to accomplish this mission through the statewide system of county alcohol and other drug abuse authorities. This was accomplished by maintaining ongoing prevention, intervention and treatment programs to address these and other problems while at the same time continuing efforts to find new ways to reach previously underserved populations.

During the year, the county alcohol and other drug abuse authorities coordinated and/or conducted 24,190 different prevention activities impacting more than 704,000 individual South Carolinians. Once again, the South Carolina Teen Institute for Alcohol and Other Drug Abuse Prevention was the largest and most comprehensive prevention initiative conducted by the state system. During FY94, three week-long training sessions were held as part of the Teen Institute. These sessions involved a total of 478 students and 112 advisors representing 116 teams from high schools throughout South Carolina. Also, the DAODAS maintained its involvement with the Drug Abuse Resistance Education (D.A.R.E.) an interagency effort involving DAODAS, the South Carolina Criminal Justice Academy, the State Law Enforcement Division, the Department of Education and the Department of Public Safety. The department also provided technical support and consultation to project Anti-Drug Abuse Movement (ADAM) a statewide program funded by the department through the South Carolina Coalition of Black Church Leaders. This outreach activity was accomplished through a network of approximately 200 churches representing every county in the state. The department continued in FY94 to provide alcohol beverage server education to the management staff of the states' Hospitality Industry through the program known as Help End Alcohol Related Tragedies (HEART). Four regional trainers located in Greenville, Horry, Charleston and Columbia continue to provide training throughout the state for this prevention activity.

In South Carolina, an estimated 226,000 individuals aged 12 and over currently are classified as alcohol and/or other drug dependent and/or in need of other intervention and treatment services. The National Institute on Drug Abuse

states "that a treatment program is reaching its target population if 10 percent of the alcohol and other drug dependent population is receiving treatment at any given time." During FY94, 54,089 clients received direct intervention and/or treatment services through the county alcohol and other drug abuse authorities. Based on this number of citizens being served, South Carolina was above the norm during FY94 with regard to the number of individuals who received direct intervention and/or treatment services. More specifically, 30,906 clients received direct services through intervention programs offered as an alternative to more serious consequences. These services were provided through the Alcohol and Drug Safety Action Program (ADSAP), the School Intervention Program (ScIP), Offender Based Intervention program (OBI), and Employee Assistance Programs (EAP). The remaining 23,183 clients received direct treatment services on a voluntary basis or because of pressure exerted by family members, friends or other influences including the judicial process. A number of additional South Carolinians received treatment through private agencies, other state or community agencies such as the South Carolina Vocational Rehabilitation Department, the South Carolina Department of Mental Health, interstate or out-of-state treatment centers, or through self-help groups including Alcoholics and Narcotics Anonymous.

The foregoing paragraphs of this report represent a overview of many of the services and activities being provided to the citizens of South Carolina. The department continued its involvement with several agency programs designed to identify individuals who are experiencing alcohol and other drug related problems and to provide specialized treatment services to those identified high-risk populations. Specific efforts have involved many other state agencies including the South Carolina Department of Mental Health; the South Carolina School for the Deaf and Blind; the South Carolina Department of Corrections; the South Carolina Department of Probation, Parole and Pardon Services; the South Carolina Department of Juvenile Justice; the South Carolina Health and Human Services Finance Commission; the South Carolina Vocational Rehabilitation Department; the South Carolina Department of Social Services; the Wil Lou Gray Opportunity School; the Medical University of South Carolina; and the South Carolina Department of Health and Environmental Control. The continuation of one of these programs involving the South Carolina Department of Corrections; the South Carolina Department of Probation, Parole and Pardon Services and the Lexington/Richland Alcohol Drug Abuse Council was the pre-release addictions treatment services provided to inmates of the state's correctional system through the Addictions Treatment Unit (ATU) at the

Watkins Pre-Release Center. At the ATU project during FY94, 238 individuals successfully completed the program, bringing the total number of graduates since the programs inception in 1989 to 1,325. This program continues to provide post-release follow-up and community based treatment services for ATU graduates through their respective county alcohol and other drug abuse authorities. Another collaborative effort involves the South Carolina Department of Corrections and the Kershaw County Commission on Alcohol and Other Drug Abuse through provision of alcohol and other drug abuse services to inmates participating in a 90-day shock incarceration program at Wateree River Correctional Institute.

Continuing to face diminishing resources, the department has been successful in collaborative efforts to obtain both federal and state funding for additional addictions treatment units to be housed in the states' correctional system. The new units all of which will be fully operational in FY95 include the following: (1) New Connections, a 250 bed unit at Manning Correctional Institution in Columbia which is funded by the Center for Substance Abuse Treatment; (2) Coastal Addictions Treatment Program, a 48 bed unit for probation and parole violators at Coastal Work Center in Charleston which is funded by the Bureau of Justice Assistance of the U.S. Department of Justice; (3) Appalachian Addictions Treatment Unit 60-bed unit at Livesay Work Center in Spartanburg which is funded through the South Carolina Department of Public Safety; and (4) Women's Addictions Treatment Program, a 30 bed unit at the State Park Correctional Center in Columbia which is funded through the South Carolina Department of Public Safety. The latter program will be the first such program in the state designated specifically for female inmates who are in need of addiction treatment services.

Another collaborative effort in conjunction with the South Carolina Department of Mental Health was continued this year in accordance with the provisions of the state's Involuntary Commitment Law for individuals who are seriously or chronically addicted to alcohol or other drugs but who do not seek assistance on their own. This law, which became effective on January 1, 1987, is designed to: (1) ensure that individuals who are committed to treatment are properly diagnosed; (2) provide for treatment in an appropriate facility or program; and (3) utilize, whenever possible, outpatient treatment alternatives available in an individuals community of residence.

Efforts culminated this year in a grant received from the Federal Center for

Substance Abuse Treatment to implement "The Bridge" a program designed to provide intensive community based outpatient treatment services for adolescents following their release from addictions treatment facilities and/or from institutional care within the South Carolina Department of Juvenile Justice. Federal funding for this 3-year demonstration project began in early 1994 and will expand existing services for high-risk adolescents in the targeted communities of Spartanburg, Orangeburg and Columbia.

Also this year, intensive in-home services were initiated in four pilot sites to enhance the system's capacity to provide Medicaid reimbursement for family-centered services. These efforts, which were implemented in Aiken, Darlington, Dorchester and Pickens counties, were coordinated with the Health and Human Services Finance Commission and the South Carolina Department of Social Services. The primary goal of this effort is to insure that total family health and human service needs are met through interagency collaboration and effective case management.

The department continues to place emphasis on the unique programming needs of women. The department is responsible for directing efforts to improve the availability and the accessibility of alcohol and other drug related services for women and their dependent children. In addition, the department serves as a resource for other state agencies and also coordinates special initiatives targeting women. Located within the department's Office of Women's Services is the Women's Resource Center, an information clearinghouse on womens issues, specifically as they relate to the use of alcohol, tobacco and other drugs. During FY94, this center distributed more than 20,000 pieces of informational material. DAODAS continued to assist with the management of four community based prevention projects targeting women in Lexington/Richland, Aiken, Georgetown and Marion/Dillon counties. These projects targeted two major populations, lower income pregnant women with young children, and elderly women at risk for adverse effects of alcohol and other drug use. Through media campaigns, educational presentations, conferences, support groups, and individual and group counseling and activities.

The department also continued to manage the contract for the women's community residents, a 24 bed facility operated by Lexington/Richland Alcohol and Drug Abuse Council serving a statewide need for women who require residential therapeutic accommodations following completion of a more

intensive phase of inpatient treatment. During FY94, 144 women were admitted to this residence. Also during the year the department expanded its treatment services for women with dependent children with two long-term residential treatment programs. Serenity Place, operated by the Greenville County Commission on Alcohol and Drug Abuse provides 10 beds for women and can accommodate up to 20 dependent children. In addition, federal funding was secured by Circle Park Associates, the Florence County Alcohol and Drug Abuse Authority, to develop a similar long-term residential program for women and dependent children. The Chrysalis Center, which opened in October 1993, provides 16 beds for women and can accommodate approximately 32 dependent children. Both of these programs house women and their children for up to one and one-half years and give priority access for treatment to pregnant women. Plans have been finalized for a similar program which is scheduled to open in Charleston the fall of 1994 and will be operated by the Department of Alcohol and Other Drug Abuse Services of Charleston County.

This department also continued to work with "Healthy Start", a Presidential Initiative designed to reduce infant mortality in 15 high-risk communities throughout the country. This initiative, which is implemented in this state in collaboration with the United Way of South Carolina, provides funding for a comprehensive array of services including alcohol and other drug education and treatment for high-risk pregnant women and their infants. This project is operational in Darlington, Marion/Dillon, Marlboro and Williamsburg counties.

For legislative support during FY94, this department monitored more than 146 legislative bills relating to alcohol and other drug abuse issues. A major piece of adult crime legislation which passed the General Assembly would provide for the establishment of centers for alcohol and other drug rehabilitation as an alternative method to sentencing. As of June 30, 1994, however, the Governor had not signed this Act into law. Progress has been made on many other legislative initiatives including three bills which were designed to address the problem of driving under the influence (DUI). The administrative license revocation bill which would revoke a driver's license at a designated blood alcohol concentration (BAC) level without requiring a conviction, passed the House and received a committee hearing in the Senate. Other bills included one which would revoke the drivers license of anyone under the age of 21 who drives with a BAC of .04 percent or greater and one which would lower the BAC inference for DUI from .10 to .08 percent, are continuing to gain more

favorably consideration in the General Assembly.

Several controversial bills including a joint resolution proposing a change in the Constitution to allow "free pour" of distilled spirits and proposal to regulate and license the retail distribution of tobacco products were debated but were not passed during the legislative year. The establishment of prisoner rehabilitation programs has been a major successful initiative and there is continued progress in developing legislation to better serve addicted pregnant women and children of this state.

The Department of Alcohol and Other Drug Abuse Services will continue to refine systems of care and search for innovative and cost effective ways to insure that appropriate prevention, intervention, and treatment services are available to meet the needs of the citizens of South Carolina. The department will work and cooperate with the Joint Legislative Committee to Study Problems of Alcohol and Drug Abuse and all other branches of government meeting our goals to provide affordable quality and accessible services to all South Carolinians.

APPENDIX I

Key Facts About Alcohol and Other Drug Abuse in South Carolina During FY94

The problems associated with the use of alcohol and other drugs in this state are enormous. Their costs, in both human and economic terms, are staggering. The following information illustrates the extent of this serious public health and safety issue currently facing South Carolina.

General Overview: An estimated 155,260 South Carolinians ages 18 and older currently have serious drinking problems or drinking habits that put them at high risk of developing such problems. In addition, an estimated 80,456 South Carolinians in this age group have serious problems with other drugs or are at high risk of developing them. Among South Carolina adolescents ages 12 to 17, an estimated 13,798 have drinking problems and an additional 8,146 have problems with other drugs.

Alcohol related accidents and illnesses account for 12 percent of all deaths in South Carolina each year. In 1991 alone, 3,594 South Carolinians died from alcohol related causes, while 358 died from causes related to the use of all other drugs. Among young people ages 15 to 24, alcohol use is the major cause of death. Of the 647 deaths in this age group during 1991, 291 (45 percent) were due to alcohol use, primarily alcohol related car crashes, while 59 (9 percent) were attributable to the use of all other drugs.

By comparison, deaths resulting from AIDS and drugs other than alcohol each account for less than one-half of 1 percent of all deaths each year. More than four times as many South Carolinians die each year from alcohol related causes than the total number of South Carolinians (885) who died during the 18-year Vietnam War.

During fiscal year 1994, 56,473 individuals, or approximately 1.5 percent of the state's total population, received some type of service provided by South Carolina's statewide system of county alcohol and drug abuse authorities, including referrals to other service providers, administrative terminations and other actions as appropriate. Of this total, 54,089 clients received direct intervention and/or treatment services through the county authorities.

Alcohol is the number-one drug of abuse in South Carolina, accounting for 72 percent of the substance related admissions to the state system. Of drugs other than alcohol, cocaine is the number-one drug for which South Carolinians seek treatment. Admissions for treatment of cocaine problems have increased more than sevenfold since 1985. Treatment admissions for other drugs (e.g., marijuana, sedatives, tranquilizers, stimulants, hallucinogens, etc.) are down by as much as 73 percent.

Admissions to the state's Alcohol and Drug Safety Action Program, the education and treatment program required for all persons convicted of driving under the influence (DUI), have almost doubled since 1980.

Women, young people and blacks are entering treatment in this state in progressively larger numbers. The average age of persons in these categories who are admitted for alcohol related problems is decreasing, while the average age of persons admitted for other drug related problems is increasing.

While South Carolina has one of the best and most comprehensive state/community alcohol and other drug abuse service-delivery systems in the

nation, it is among the poorer funded. South Carolina is below the 50-state average in state funding per capita and in state funding per client. For example, North Carolina spends twice as much per alcohol or other drug abuse client as does South Carolina.

Consumption Patterns: Approximately one-half of all South Carolina adults ages 18 and older are drinkers. Drinking is most common in the younger age groups and decreases with age. Males drink more than females and whites drink more than blacks. Individuals in higher income groups drink more than those in lower income groups. Columbia and Charleston have the highest levels of consumption. The Upstate has the lowest levels.

Alcoholic beverages account for about 15 percent of all of the fluids an average person consumes each year, including water, soft drinks, milk, coffee, etc. In fact, the per capita consumption of beer is greater than the per capita consumption of milk each year.

Beer is the beverage of choice among those who drink, accounting for 60 percent of all the pure alcohol (ethanol) consumed in this state. Distilled spirits account for about one-third of all of the alcohol consumed, while wine accounts for the rest. Young persons (especially males under the age of 29) drink two to three times as much beer as the rest of the population.

South Carolinians drink slightly more beer and distilled spirits than Georgians do, but significantly more than North Carolinians. Wine consumption is about equal in all three of these states.

About 6 percent of South Carolina adults are classified as "heavy" drinkers, and about 12 percent are classified as "binge" drinkers. These drinking patterns are more common in the younger age groups and decrease with age. Heavy drinking and binge drinking are more common among males than females and among whites than blacks.

The heavy drinkers in South Carolina consume a tremendous amount of alcohol. A mere 5 percent of South Carolina adults consume one-half of all of the beer, wine and distilled spirits consumed in this state in any given year.

Males experience more problems with alcohol than females do. Alcohol problems among males are most common in the younger age groups (late teens through

early 30s) and decrease with age. Alcohol related problems among females are most common in the late 20s and early 30s.

Although blacks drink less than whites overall, blacks are slightly more likely to develop personal, family, occupational or legal problems due to alcohol misuse than are whites. While alcohol related problems among whites are concentrated in the younger age groups (late teens to early 30s), alcohol problems among blacks are more common later in life (late 20s to early 50s).

Drinking and driving is most common in the younger age groups and decreases with age. Drinking and driving is more common among males than females and among whites than blacks.

Among South Carolina's high school seniors, 71 percent have used alcohol, 24 percent have used marijuana and 4 percent have used cocaine. Even among 7th graders, 35 percent admit to having used alcohol, 4 percent admit to having used marijuana and 2 percent admit to having used cocaine.

Research has proved that there is a strong association between the overall level of alcohol consumption in South Carolina and the death rate from liver cirrhosis. As alcohol consumption increases, so does the number of deaths from cirrhosis. Deaths from many other causes, such as cancers of the gastrointestinal tract, also are linked to alcohol use.

Arrest Rates: Alcohol related arrests (DUI, alcohol law violations and public drunkenness) account for about 25 percent of all arrests made in South Carolina. Arrests for other drugs (e.g., cocaine, marijuana, etc.) account for 8 percent of all arrests. Thus, alcohol and other drug arrests account for at least 33 percent of all arrests made in this state.

A large percentage of the remaining arrests are for crimes committed while under the influence of alcohol and/or other drugs. Almost two-thirds of all burglaries and more than one-half of all murders and rapes are committed while under the influence of alcohol or other drugs.

Almost 60 percent of the inmates in the South Carolina Department of Corrections system were under the influence of alcohol or other drugs when they committed their particular offense, and almost 40 percent admit to having serious problems with alcohol or other drugs.

DUI arrests are down 31 percent since 1990, and arrests for alcohol law violations have decreased 33 percent since 1990. Cocaine/crack arrest rates in South Carolina are relatively unchanged since 1990. Marijuana arrest rates are up 11 percent since 1990, and heroin arrests are down 15 percent since 1990.

Traffic Crashes and Fatalities: According to coroners' reports, about 68 percent of all South Carolinians killed in car crashes were drinking prior to their crashes.

Alcohol related traffic deaths in South Carolina occur most frequently on Saturday. Friday and Sunday are the next most common days.

The greatest number of alcohol related traffic deaths occurs between midnight and 3 a.m.

Raising the legal age required for the purchase of alcoholic beverages has had a positive impact in South Carolina. Alcohol related traffic crash rates among 18- to 20-year-olds decreased 17 percent between the years of 1983 and 1987 and 30 percent between 1988 and 1993.

Young people between the ages of 18 and 24 are more than twice as likely to be involved in an alcohol related traffic crash as compared to the South Carolina licensed driving population in general. Alcohol related traffic crashes are less common in the older age groups.

Economic Costs: The economic cost of the abuse of alcohol and other drugs in South Carolina totals approximately \$2.5 billion each year.

Each adult in this state pays \$1,000 each year to cover the cost of this abuse. These costs are reflected in such factors as artificially increased prices for all goods and services (because abusers are absent more often and are less productive when they are at work); higher taxes (for additional police and jails to deal with drunk driving and other drug related arrests); property losses (due to thefts for drug money or car crashes); and higher health care costs (to cover the cost of abusers who use the health care system more extensively).

The state's economic cost of alcohol abuse alone is estimated at \$1.5 billion per year, the majority of which is attributable to the reduced productivity and increased absenteeism of persons with alcohol related problems. Other major factors include lost earnings due to premature deaths and the cost of treatment services.

The economic cost resulting from the abuse of drugs other than alcohol is estimated at an additional \$1 billion per year, the majority of which is attributable to reduced productivity and crime associated with illegal drug use.

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY SAFETY AND GRANT PROGRAMS

FISCAL YEAR STATE STRATEGY

The development of South Carolina's FY 1994 State Strategy is a reflection of lessons learned during the past seven years of administration of the Drug Control and System Improvement Formula Grant Program. While great strides have been made in all areas of the criminal justice system in fighting the "war on drugs and violent crime," the belief that this is strictly a criminal justice problem is no longer held. Rather, the problem of alcohol and other drug abuse and violent crime in our state and nation has become a community problem, and society now owns a part in this war. For this reason, the State Strategy reflects the opinion that the role of the community is possibly the most essential element in addressing the problem of crime and violence. With this in mind, the criminal justice system should be anchored in the community and sensitive to the cultures and needs of those they serve. The direction in which the problem should be addressed must involve more community-based approaches as well as those in government, families and individuals working together.

The process of balancing this approach required a coordinated effort with all players holding a vital interest in this area. The process attempted to cast as wide a net as possible to include divergent points of view and all significant competing interests. This input was weighed and compared to the criminal justice data made available over the past year and to previous years in which a statewide strategy was developed.

Several broad assumptions emerged from this process regarding the success and failures of the current strategy and programs funded to address the problem. As well, a clearer picture can now be drawn which identifies the strengths and deficiencies of the state's criminal justice, education, treatment and community systems and the direction that should be taken to effectuate a long-term solution. Not surprisingly, there were differing views in each component of the system as to what is the most effective strategy to pursue and how resources should be applied. However, this year produced recommendations from each of the contributing agencies which are considered non-traditional in nature for their field. For example, while law enforcement stressed the need for continued funding of narcotics personnel and equipment, they emphasized the need to incorporate the community as a vital player in decision-making about the approaches to drugs and violent crime. The courts pointed to the need for innovative approaches to help them respond to the impact of rising criminal caseloads, as well as to meet the treatment needs of offenders. Corrections cited that shortage of institutional drug-treatment beds and the advantages of treating serious offenders before they are returned to the community. The treatment community supported resources for alcohol and drug treatment both in the community and in institutional settings,

particularly specialized addictions treatment for juvenile offenders.

From these divergent viewpoints, the Office of Safety and Grant Programs developed what is believed to be a balanced, rational approach to the strategic allocation of existing and future resources toward addressing these critical problems. The approach is multidimensional. It does not rely solely on any single component of the system to "solve" the problem, but instead encourages initiatives in a variety of coordinated directions.

It remains clear that drug abuse and illegal drug distribution continues to be fundamental catalysts driving violent and non-violent crime in South Carolina. Combined with alcohol, it is estimated that 60-75 percent of all crime in the state is related to substance abuse. Drugs not only contribute to high crime rates but have profound effects on the economic vitality of the state, educational and health goals, and foster a climate of fear prevalent in many communities. What became surprisingly more evident this year, however, was the increasing number of violent crimes which are committed by repeat offenders--career criminal offenders. Of utmost concern to the state is the increasing threat of violence in our society and the need to address those fundamental problems which contribute to more dangerous living conditions. The media coverage given to such horrific incidents as drive-by shootings, murder of law enforcement officers, child sexual and physical abuse, domestic violence, rape, and people settling arguments with firearms reflects an impression to the public that such offenses are more frequent than they actually are. Nevertheless, that impression heightens fear and diminishes the quality of life for all.

Consistent with our 1993 Statewide Drug Strategy, the single most powerful consensus which has emerged from the search for solutions to this complex problem is that there is no single answer. Obviously, the criminal justice system must and will respond to violence and incidents of violent crime, whatever its form, with arrests, prosecutions, and sanctions. However, the multifaceted dimensions of violence indicate that more is needed. In view of this reality, South Carolina's Strategy is to facilitate a broad-based approach between law enforcement and the community, prevention/education and treatment.

The most heavily funded component of this strategy has been and may continue to be law enforcement. For the past seven years, the state has concentrated the majority of its federally funded resources in this area. Law enforcement funding will continue to receive high priority; however, as mentioned earlier, the enforcement will involve community-based approaches as well as traditional methods of finding solutions to problems. Strategic goals in the enforcement area are:

- * Enhance state narcotics-related training capabilities
- * Assist in the creation of multijurisdictional drug enforcement task forces and maintain and enhance existing successful projects
- * Assist in the creation of multijurisdictional violent crime task forces
- * Improve the criminal justice information system

* Promote the implementation of

Community-Oriented Policing

Other strategic priorities in the enforcement area are: establish undercover stolen goods operations, especially those that cross over to drug distribution networks; reduce drug analysis turnaround time in our state laboratory; identify jurisdictions where small law enforcement departments have little or no resources to address drug distribution operations (i.e., eradication of "safe" counties and municipalities); and target jurisdictions that may be in urgent, even desperate, need of resources to regain the initiative in the local war on drugs.

The second leg of this triad is prevention/education, often cited this year by federal, state, and local law enforcement agencies in and out of South Carolina as the only true long-term solution. The best strategy to counter illegal drug use by youths is to prevent it from starting. Both the Department of Education and the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) have initiated a multiplicity of drug educational programs targeting school-age and adult populations. Prominent among these has been the D.A.R.E. (Drug Abuse Resistance Education) Program which utilizes uniformed law enforcement officers in the classroom. The D.A.R.E. Program, or some other program with a documented history of success, should be institutionalized into each school district serving every school-aged child. The D.A.R.E. Program remains a priority in our overall strategy of funding decisions. It is this policy component, education, that will likely make the most significant long-term difference, although these results may not be evident for another three to five years. Our strategic goal in the prevention/education area is:

*Expand demand reduction education projects in which law enforcement officers participate.

Other strategic priorities are: target funding for projects which incorporate strong parent and community components and support the training of law enforcement officers who will work in demand reduction education programs.

While law enforcement agencies can apprehend offenders, and educational initiatives can deter those not yet involved, treatment for abusers is a third offensive in this three-part process. The criminal justice community must be prepared to address the psychological, behavioral and other medical problems that lead to drug and alcohol abuse, deviant sexual behavior, violent juvenile behavior and mental disorders. Reducing the demand for drugs through prevention is not an option for an already-addicted offender, treatment may be the only way of breaking the cycle of addiction and crime for such an individual. While some strides have been made toward meaningful treatment, as evidenced through the South Carolina Department of Corrections' Midlands Addictions Treatment Unit and the South Carolina Department of Alcohol and Other Drug Abuse Services' expansion of treatment resources into every county, this area as a whole deserves more attention. An offender who is incarcerated due to the unavailability of treatment programs may become a management problem in prison. Adequate drug-treatment programs for those incarcerated, as well as for those released from prison, must be available. To date, the level of support in this area has increased support for follow-up treatment on the county level.

The strategic goal in the treatment area is :

- * Continue to provide additional public correctional resources and improve the correctional system, including substance abuse treatment projects in prisons and intensive supervision projects and long-range corrections and sentencing strategies.

Other strategic priorities in the treatment area are: encourage and assist, with resources and technical support, evaluation components of model treatment; encourage alternatives to incarceration for non-violent users who cooperate in treatment programs; encourage HIV/AIDS education for persons residing within the state correctional system; and improve drug testing and refer drug dependent offenders for longer-term, crime-reduction projects.

An enhanced evaluation goal is needed to provide us with a capability to determine which approaches work and which do not work. By documenting this and sharing good ideas we should be able to develop synergy, making the overall impact greater than the sum of its parts. To ensure coherent evaluation strategy which will be most useful to decision-makers, the state will emphasize building consensus on the role of evaluation within the overall state strategy. The intent is to have evaluation assist users and providers to make their systems more effective. Results should help us refine the state strategy in the future. The strategic goal is:

- * Enhance a violent crime and drug control evaluation capability to evaluate the effectiveness of programs and projects directed at drug abuse activities

The solution to the state's drug problem must be long term, even generational. The FY 1994 State Strategy reflects initiatives to convey that the struggle to turn the drug crisis and violent crime problem around involves long-term commitment and definitive strategies. The state's drug and violent crime policies should continue to be balanced between enforcement, prevention/education and treatment. Even so, all citizens of South Carolina must be mindful that progress is not achieved solely by the allocation of resources to government, but rather by changes in attitudes and behaviors brought about by individuals, families and communities working together throughout the state.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

For the last (8) years, South Carolina has consistently ranked first or second in incarceration rates. The January 1, 1993, incarceration rate per 100,000 persons was 499 (per 1993 Corrections Yearbook) which places South Carolina as number two in the United States.

Since FY 88, the number of admissions to the South Carolina Department of Corrections (SCDC) has increased 46 percent - from 8,502 inmates in FY 88 to

about 12,411 inmates in FY 94. Likewise, the SCDC custody population has increased from 11,068 in FY 88 to 17,182 in FY 94. This represents a 55.2 percent increase. The annual per inmate incarceration cost (state funds) has slightly increased from \$12,213 in FY 88 to \$12,381 in FY 94; the total cost to South Carolina keeps increasing due to the increasing number of inmates admitted each year. It is also helpful to place these incarceration costs in perspective with other costs; the per in-state student cost at USC for 1993-94 is \$6,400 and the per capita income in South Carolina for 1992 is \$15,989.

During the same time period, the number of inmates with a dangerous drug offense as the most serious offense almost doubled from 11.1 percent of the population in FY 88 to 22.3 percent of the inmate population in FY 94. The dangerous drug offense category is the number one ranking serious offense category in the SCDC. Of the 19,780 inmates in the August 29, 1994, jurisdictional population, 10,799 inmates stated that they were under the influence of alcohol and/or drugs at the time of committing their crime. During FY 94, 55 percent of the inmates, by self-report, indicated that their offense was in some way related to drug/alcohol usage. Nine (9) percent (1,132) of the admissions were for a DUI offense.

In an effort to combat the drug abuse problem, SCDC has implemented a number of innovative approaches. Treatment, education, interdiction, and drug testing weave a total fabric of intervention. Through the Drug Control and System Improvement Grant Program, administered through the Department of Public Safety, the SCDC has been able to substantially enhance its efforts. During the FY 93 grant funding year, the SCDC received a six (6) month grant award for continuation of the Midlands Addictions Treatment Unit (ATU). From December 1, 1992, through June 30, 1993, the SCDC absorbed the cost for continuing the program. In FY 93/94, funds were first appropriated by the General Assembly to fund the program and this program continues to be funded. This was also the last year for grant funding for drug testing, SCDC now funds the program. The drug dog and its handler was funded by the System Improvement funds through May 1994. This specially trained dog is able to sniff out drugs at all of the SCDC facilities and is deterrent to contraband entering the institutions and is now funded through state appropriations.

The Midlands ATU is a unique interagency approach to identifying and treating 60 inmates (48 men and 12 women) within a 60-day treatment cycle prior to being released through the Parole Board. The ATU has admitted 1455 inmates since August 21, 1989. Cocaine, marijuana, and alcohol are primary drugs of choice from these inmates. The ATU is a collaborative effort between the South Carolina Department of Corrections (SCDC), the South Carolina Department of Probation, Parole, and Pardon Services (SCDPPPS), the South Carolina Parole Board, and the South Carolina Department of Alcohol and Other Drug Abuse Services (SCDAODAS). The Parole Board recommends clients for the ATU and the SCDPPPS for parole supervision for the ATU clients for at least a year after release from SCDC. The SCDAODAS provides for the treatment personnel for the ATU and also provides alcohol/drug abuse aftercare services through its "301" system after release.

Through the Drug Control and System Improvement Grant Program, Appalachian area of the state at the Livesay Work Center. Construction is nearing completion and the program will begin treating 60 male inmates during October 1994.

The SCDC has received a grant for a 30-bed Addictions Unit for female client at State Park Corrections Center. The facility has just been completed and is expected to be operational this September. A grant has also been given to SCDAODAS through the Bureau of Justice Assistance Options Grant Program. This program will operate under a collaborative model and will target youthful offenders (under 30 years of age) from the Coastal region of the state (primarily Charleston, Berkeley, and Dorchester Counties) who have violated their probation or parole due to some type of involvement with alcohol and/or other drugs and who would have been incarcerated if the proposed program were not available. This is a 48-bed residential alcohol and other drug treatment center which will be located at SCDC's Coastal Work Center in Charleston, South Carolina. It is expected to begin taking clients in the middle of October 1994.

The SCDAODAS in concert with SCDC submitted a grant last year to the Center for Substance Abuse Treatment Programs for Correctional Populations. This grant, New Connections, was approved to operate a 250-bed alcohol and other drug abuse residential program located at Manning Correctional institution in Columbia for chronic drug abusers. This program will house a therapeutic community for minimum security inmates. Through the South Carolina Department of Public Safety, Office of Safety and Grant Programs, the SCDC has been awarded the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program to build the treatment building for the therapeutic community. It also is expected to be operational this October. The program will serve approximately 350 inmates annually.

A small collaborative pilot project with SCDAODAS was begun to provide the Alcohol and Drug Safety Program (ADSAP) for inmates prior to release. The ADSAP program is a voluntary program for inmates who have been convicted of a Driving Under the Influence (DUI) offense. This program is a joint effort of the staff of the SCDC's Division of Human Services, Lower Savannah Work Center, SCDAODAS, and the Aiken County Commission on Alcohol and Drug Abuse (referred to as the Aiken Center). Nine (9) inmates have graduated from the program.

Drug testing was conducted on 8,124 inmates at work-release centers last year and 326 tested positive. One thousand six hundred and twenty-six (1,626) tests were conducted on inmates in the furlough program. Only 3 tests were positive*. This ability to determine which inmates abuse substances prior to having more public contact permits SCDC to stop drug abusing inmates from going on furlough or work release. Furthermore, these inmates are referred to treatment.

*1,254 inmates were tested before going to the work centers for work programs. One hundred twenty tested positive and their approvals were rescinded.

The Division of Human Services within SCDC also provides a number of drug related and alcohol intervention services. During FY 93-94, the following services were provided by Institutional Social Workers or Mental Health Counselors:

Alcoholics Anonymous Groups	7555
Narcotics Anonymous Groups	1653
Addictions Treatment Unit	328

Alcohol/Drug Education Course	4535
Alcohol/Drug Group Therapy	1086
Alcohol/Drug Individual Therapy	32
Other Substance Abuse Programming	53

Fifty-one percent of the inmate population state on admission to SCDC that alcohol and other drugs were involved in their crime in some manner.

As can be seen, SCDC has taken a multi-focused attack on the problem of alcohol and other drug abuse within a correctional setting. Further resource needs by SCDC are identified below:

- 48-bed unit for work release candidates
- 48-bed unit for chronic DUI offenders
- Expansion of ADSAP services for DUI offenders
- Development of a substance abuse awareness training curriculum for officers and other SCDC staff
- Enhancement of the Reception and Evaluation (R&E) Centers
- Screening for alcohol and other drug problems
- Enhancement of service for drug involved youthful offenses.

Development and implementation of research resources and strategies to adequately assess treatment outcome, recidivism and relapse data with and across these alcohol and drug programs.

SOUTH CAROLINA DEPARTMENT OF EDUCATION

DRUG FREE SCHOOLS AND COMMUNITIES SECTION

This section administers the federal Drug-Free Schools and Communities Program of 1986. This federal program provides funding of 3.8 million dollars of which 95 percent is distributed to the state's 91 school districts on a per-pupil basis. School districts must submit an application for funding and provide assurances that they will implement a curriculum for grades K-12 that provides a no-use alcohol and drug message for students. School districts also must establish an advisory committee and adopt drug-free work place policies for students and employees. For the FY '94 the amount of the federal grant was 5.6 million dollars and was reduced to 3.8 million for FY '95 by the new administration. For example, Colleton County received \$75,569 in 1994 and that figure was reduced to \$44,612 for this fiscal year.

a. **Drug Abuse Resistance Education (D.A.R.E.)** is a program for one hour a week for 17 weeks by a trained, uniformed police officer. The program requires a memorandum of agreement between a school district and a law enforcement agency. The program is managed by a coalition which includes the Department of Education, the Department of Alcohol and Other Drug Abuse Services, South Carolina Law Enforcement Division, and the Division of Public Safety. The program currently serves about 50,000 students in 88 school districts.

b. National Red Ribbon Week: This activity provides an opportunity to incorporate into classroom curriculum information regarding tobacco, alcohol and other drugs. The Red Ribbon Campaign provides the opportunity to work with students and explain how every area of life is affected by the use of drugs.

c. Coaches Conference on Alcohol and Drugs is a one day conference for coaches and athletes which highlights the harmful effects of alcohol and other drugs and the role that coaches can play in youth drug prevention. This conference is co-sponsored by the Department of Education, the Department of Alcohol and Other Drug Abuse Services, the United States Drug Enforcement Administration, the Athletic Department and School of Medicine at the University of South Carolina, the South Carolina High School League, and the South Carolina Association for Health, Physical Education, Recreation and Dance.

d. Student Assistance Program (SAP) is an effective and comprehensive system for solving personal and drug-related problems for K-12 students, families, school, and communities. The SAP helps students currently experiencing problems or those at risk for problems to succeed in school and complete their education. Each SAP includes: prevention activities, intervention activities, educational support groups, core teams, policy and procedure statements, peer assistance, crisis management teams, training and awareness, employee assistance programming, curriculum, community mobilization and evaluation. The program is being implemented in cooperation with the Department of Alcohol and Other Drug Abuse Services. The funding for this program is provided by two participating agencies.

e. Fetal Alcohol Syndrome Resource Network is an inter-agency collaborative which provides networking and intensive in-service training for health and human service professionals from all agencies to help them identify FAS effects and help prevent FAS.

SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH

The South Carolina Department of Mental Health and the Department of Alcohol and Other Drug Abuse Services (DAODAS) completed the joint training of local staff from both agencies in the diagnosis and treatment of people with a mental illness and chemical dependency. The final training was in the Midlands Region of the state and was coordinated by DAODAS.

The curriculum has undergone a final revision by DMH for delivery to mental health professionals working in both community health and inpatient settings. Use, abuse and dependency continue to be major areas of concern in the treatment and continuing stability of people with psychiatric disabilities. Education and active treatment are being incorporated into mental health services to address this problem. A state plan goal is to deliver the training six times in the 1995 calendar year and then offer it periodically through the Office of Continuing Education and Staff Development.

The Department of Mental Health is continuing to promote the implementation of substance abuse education and active treatment in community mental health center programs serving psychiatrically disabled individuals and their families. Community mental health centers are increasingly providing structured education groups, twelve-step study groups, family education and intensive case management services for dual disordered consumers. Consequently, the role of the limited number of Addiction Specialists is changing. More often, they are serving as co-leaders in groups, providing assessment of people suspected of alcohol and other drug involvement, consultation at staffing where substance abuse is a possible problem and as key members of intensive case management teams.

South Carolina has historically operated a dual system of services related to alcohol and other drug abuse. The Department of Mental Health operated Morris Village as the State's largest publicly funded inpatient substance abuse treatment facility. The Department of Alcohol and Other Drug Abuse Services has served as the State's Authority for Federal Substance Abuse Grants and supported the provision of prevention, intervention and treatment services locally by contracting with local alcohol and drug abuse commissions.

In 1987, passage of involuntary commitment legislation for chemical dependency required the Department of Mental Health to provide 24 hour emergency services to insure that people with a chemical dependency were screened and referred to the most appropriate resource. This necessitated trying to develop a closer working relationship between the Department of Mental Health and the Department of Alcohol and Other Drug Abuse Services.

Limited access to and the availability of local detoxification programs as an alternative to state inpatient care, poor continuity from DMH inpatient facilities to local alcohol and drug abuse commissions, differing philosophies about outreach and intensive case management for those who are non-compliant with traditional treatment, and lack of involvement by all commissions in emergency services all continue under the current dual system of care. The extent of local collaboration on behalf of the involuntary substance abuse population varies greatly from county to county.

In order to address these system issue between the two agencies, the Department of Mental Health requested a study be done by the Budget and Control Board to determine the current status of care for chemically dependent people in South Carolina and provide recommendations as to how care can be improved. That study will be directed by Bob Toomey, Deputy Executive Director of the Budget and Control Board. It is the hope of the Department of Mental Health that the study will put forth a plan for a comprehensive and integrated services for the full range of people of South Carolina who suffer from addiction, with special emphasis on the urgent need for local detoxification and crisis capacity.

MORRIS VILLAGE

In many ways, Fiscal Year 1993-94 was one of progress for Morris Village. Some goals were carried forward from last year, while others involved new efforts aimed at enhancing staff development, promoting continuity of care with local treatment providers throughout the state, and refining the quality of treatment provided.

Continuation of Total Quality Management strategies allowed significant input by staff into the facility's problem-solving methods and resulted in improved staff morale and teamwork. Morris Village staff members visited Community Mental Health Centers and Alcohol and Drug Abuse Commissions to maintain open communication and alleviate mutual problems in referral.

Improvements in the clinical program include integration of nurses into treatment teams where they actively participate in case staffings and treatment team meetings. A program of staff clinical supervision provides continuing improvement of clinical skills through group instruction and feedback on active cases. Specialized treatment teams for youth, women, and persons with both a mental illness and problems of psychoactive substance abuse (dual diagnosis) continue to refine their services to provide appropriate treatment for these special populations.

Increased need for services for pregnant women has led the Department of Mental Health into a contractual arrangement with Richland Memorial Hospital to provide necessary prenatal care for this population. During the past fiscal year, Morris Village treated thirty-nine women known to be pregnant.

In the coming year, staff of Morris Village will be actively involved with the work of the Public Academic Consortium in studying treatment, research, and training needs for the dually diagnosed and attending a spring conference at South Carolina State University.

The Morris Village Treatment Outcome Study is near completion and will serve as a foundation for more comprehensive program evaluation to be conducted in the coming year. Designing and conducting program evaluation is a component of the staff's preparation for the reaccreditation visit by the Commission on Accreditation of Rehabilitation Facilities scheduled for June 1995.

A new director began work August 2nd, offering Morris Village opportunities for an influx of energy and innovative ideas. In the coming year, we will be challenged to adapt to changes brought about by health care reform, requirements of increasing fiscal accountability, and the national trend toward shortened lengths of inpatient stays in favor of outpatient treatment. An invitation was extended to each commission and mental health center to send staff to visit our facility. Along with the invitation to visit, a revised facility brochure was distributed to mental health centers, commissions and probate judges. While our mission--to serve our patients and to work in partnership with them to improve the quality of their lives--will not change, the way that it is accomplished most certainly will.

Morris Village has a solid foundation of patient services upon which an even stronger treatment program can be established. To build such a program, The Village needs a strategic plan for change. This plan will identify those things that are working and those that need strengthening. With input from many staff members, the strategic planning process has begun focusing on the following areas:

A c c e s s i b i l i t y o f c a r e
Are individuals able to obtain the care they need, when they need it?

A p p r o p r i a t e n e s s o f c a r e
Do patients receive appropriate services, consistent with current knowledge of alcohol and other drug treatment?

C o n t i n u i t y o f c a r e

Is patient care coordinated across organizations and time?

E f f i c a c y o f c a r e

Do interventions and treatment lead to successful outcomes for patients?

E f f i c i e n c y o f c a r e

Does the care provided produce the desired effect with a minimum of effort, expense and waste?

Morris Village looks toward the future with anticipation of growth and achievement. Pursuit of effective treatment approaches, strengthened linkages with institutions of higher learning, and active collaboration with all providers of alcohol and other drug abuse services in South Carolina will enhance the leadership role of Morris Village in the state and propel us toward our ultimate goal of decreasing the negative impact of alcohol and other drug dependency on the citizens of South Carolina.

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE ALCOHOL AND DRUG TREATMENT ACTIVITIES

The Department of Juvenile Justice is providing comprehensive alcohol and other drug education through the school science curricula offered at the Department's long term secure facilities. One out-stationed LRADAC counselor and a social worker with experience in alcohol and other drug interventions provide specialized services to institutionalized juveniles. In addition, the Department operates two housing units which are used specifically for juveniles with alcohol and drug abuse problems.

Local DJJ offices refer juveniles identified with alcohol and other drug abuse problems to local social services agencies for assessment and treatment. Across South Carolina, there are hundreds of juveniles under DJJ supervision who attend counseling sessions related to substance abuse problems. During FY 93/94, there were 1,228 juvenile cases referred to the solicitors in our State in which the most serious offense was drug or alcohol related. Sixty of those juveniles were committed to the Department's secure institutions. Many others were placed in group homes.

A Memorandum of Agreement was signed by the Directors of the Department of Juvenile Justice and the Director of Alcohol and Other Drug Abuse Services during this year to coordinate efforts for prevention, intervention and treatment/rehabilitation services for shared clients. A grant proposal was submitted to the Office of Grants Administration, Governor's Office, in January 1994, to establish an Addictions Treatment Unit for institutional juveniles. This grant was not funded. DJJ will continue to try and establish this intensive treatment program.

As part of an ongoing grant, the Department of Alcohol and Other Drug Abuse Services is providing comprehensive assessment and wrap-around follow-up services to juveniles from six counties including Lamberg, Calhoun, Lexington, Orangeburg, Richland, and Spartanburg. Grant personnel had screened (as of

June 30) 214 juveniles. Of these juveniles, 30% were referred for further assessment and, of that number, all but two were deemed appropriate for intervention services. A new screening instrument has resulted in larger percentages (60+ %) being found to have significant problems with alcohol and other drug use.

Plans for 1995-96 include the submission of a new grant proposal for a residential Addiction Treatment Program to serve the needs of youth committed to DJJ. The Department is continuing to strengthen its assessment, referral and programming efforts to better identify and provide services to juveniles with substance abuse issues.

SOUTH CAROLINA VOCATIONAL REHABILITATION DEPARTMENT

An integral part of the Department's rehabilitation response to the needs of persons with vocationally handicapping substance abuse problems is Palmetto Center in Florence and Holmesview Center in Greenville. These two residential alcohol treatment centers, operated by Vocational Rehabilitation, provide clients with a comprehensive program of group and individual therapy; vocational assessment; personal and social adjustment training; psychological evaluation; recreational, family, nutritional and media therapy; plus religious and A.A. activities. The length of treatment is either 28 or 56 days, depending on the needs of the particular client, and admission is on a voluntary basis.

Additionally, both centers conduct extensive outpatient services in the form of weekly group therapy sessions for family members of current and past residents and after-care therapy groups as follow-up for residents who have completed their inpatient treatment. The centers also work cooperatively with local nurse training programs to provide their students with exposure to substance abuse treatment.

Referrals to the centers come from human service agencies and interested individuals all over South Carolina. These referrals are coordinated through the local Vocational Rehabilitation counselor to provide initial assessment and establish a service relationship with the individual prior to admission. Following treatment, the local counselor assists the client with aftercare therapy, vocational counseling and job placement. Such a continuum of care is unique and provide optimum opportunity for the client's recovery.

In FY 1994, Palmetto Center in Florence provided residential treatment services to 621 clients, whose average length of stay was 22.6 days, with total client services days of 12,524. Also, 727 treatment hours of group therapy were rendered in the Family and Ex-Resident Programs.

During this same year, Holmesview Center in Greenville served 362 clients whose average stay was 25 days, totaling 9,481 total client days of service.

In addition, the South Carolina Vocational Rehabilitation Department continues to operate a program in cooperation with the South Carolina Mental Health Department at Earle E. Morris, Jr., Alcohol and Drug Addiction Center. This program provides vocational assessment, adjustment training, counseling and referral to local Vocational Rehabilitation counselors for job placement and followup services. During FY 1994,

Vocational Rehabilitation services were provided to 462 Morris Village residents with 218 referred for follow-up services by Vocational Rehabilitation offices throughout the State and 88 were provided followup services after discharge by the Morris Village Vocational Rehabilitation staff.

In addition to this network of specialized facilities and programs, the Department has counselors in the majority of its local offices who specialize in Vocational Rehabilitation services to substance abuse clients. These specialty counselors also serve as liaison with other agencies, such as the county commissions on alcohol and drug abuse, to assure coordinated services to these clients. In some areas, these specialty counselors operate ongoing group counseling sessions to help their clients secure or maintain gainful employment.

In order to better serve the private and public sectors, the South Carolina Vocational Rehabilitation Department has implemented employee intervention programs with a variety of employers. These programs address individual needs of troubled employees before they have to be separated from their present employment due to substance abuse.

The needs of persons with substance abuse problems are complex and place considerable demands on South Carolina's treatment network. Whether these persons are unemployed or in danger of losing their employment, their rehabilitation needs are continuing to be addressed by the South Carolina Vocational Rehabilitation Department as indicated in the following table.

CLIENTS			
NEW RECEIVING CLIENTS			
FY	DISABILITY	REFERRALS	SERVICES REHABILITATED
90 Drug			
Addiction/Abuse	1,808	2,950	692
Alcoholism	2,193	3,843	1,020
91 Other Drug			
Abuse/Depend.	1,717	3,056	771
Alcohol			
Abuse/Depend.	2,539	4,293	1,090
92 Other Drug			
Abuse/Depend	2,093	3,471	739
Alcohol			
Abuse/Depend.	2,780	4,837	1,170
93 Drug			
Addiction/Abuse	2,426	4,652	1,191
Alcoholism	2,473	4,110	944
94 Drug			
Addiction/Abuse	2,820	4,564	1,018
Alcoholism	2,259	4,245	1,153

SOUTH CAROLINA LAW ENFORCEMENT DIVISION NARCOTICS DEPARTMENT

The Narcotics Department was formed in 1971 with the advent of legislation charging SLED with enforcement of laws pertaining to the illicit traffic in narcotics and dangerous drugs (Section 44-53-480, South Carolina Code of Laws). The department is given the responsibility for providing investigative assistance to local enforcement agencies and for initiating overt and covert investigations into major narcotic and dangerous drug traffickers operating interstate and intrastate.

The Narcotics Department maintains a close liaison with other state and federal agencies in coordinating investigations against illicit drug traffic and provides intelligence information to these agencies regarding such traffic activity.

There are 52 agents, 5 supervisory special agents (Lieutenants) and a Special Agent in Charge (Captain) assigned to the department at this time.

On June 3, 1988, Governor Carroll Campbell announced the formulation of a Strike Force known as the Governor's RAID (Retaliation Against Illegal Drugs) Team made up of members from the South Carolina Highway Patrol, Alcoholic Beverage Control Commission, South Carolina Wildlife and Marine Resources and SLED Narcotics. This gave a total of 60 sworn law enforcement personnel to combat the drug problem at the state level. This team was made statutorily permanent, under SLED, during the 1993 legislative year. Additionally, pursuant to Section 23-3-15 SLED was given "specific and exclusive jurisdiction and authority statewide, on behalf of the state in matters including"...."covert investigation of illegal activities pertaining to and the interdiction of narcotics and other illicit substances".

The South Carolina Army National Guard has dedicated two helicopters and personnel to support the ground effort of our annual Marijuana Eradication Program. Additionally, personnel from the National Guard work year round in various positions to support the overall counter drug effort to include the SLED personnel assigned to the State Grand Jury section of the South Carolina Attorney General's office.

During Fiscal Year 1993-94, the Narcotics Department received and processed 599 requests for investigations from federal, state, and local agencies. These requests for investigations generated 957 investigations by the section.

TOTAL VALUE OF DRUGS PURCHASED OR SEIZED.....	\$47,833,058.50
CASH SEIZED.....	430,111.11
OTHER ASSETS.....	235,875.00
TOTAL ARRESTS.....	676 (includes the Marijuana arrests)

**NOTE: Other real properties and monies were seized through the
State Grand Jury and will be reported through them.**

23,349 marijuana plants were seized in the 1993-94 Fiscal Year which resulted in 141 arrests.

STATE DRUG TOTALS

SALE/POSSESSION COMBINED JULY-DECEMBER 1993 JANUARY-MAY 1994

Cocaine/Heroin/Opium	37632864	
Marijuana	4318	3850
Other Drugs	281	238
Drug Equipment/Paraphernalia	502	504

The above figures are taken from reports submitted to the UCR program by participating police agencies.

Total copies 125
Total cost \$ 193.75
Cost per copy \$ 155
Date 1-19-95
S. C. Legislative Council