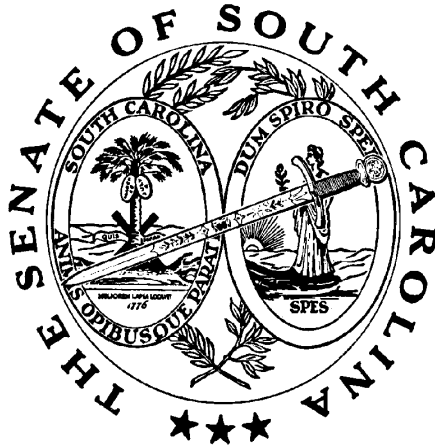


NO. 41

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009**

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**TUESDAY, MARCH 31, 2009**

**Tuesday, March 31, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

In one of his visions, the prophet Isaiah wrote:

“ ‘Come, now, let us reason together,’ says the Lord.”

(Isaiah 1:18)

Please, join me as we pray:

Gracious and loving God, You have made it clear that the leaders of Your people need to “reason together” in order for the common good to be accomplished. O Lord, we pray that such will ultimately be so here in South Carolina. Guide these Senate members as they seek to honor You and Your will for the people of this State, Lord. May others also be open to listening, to hearing, and to working together for what is right and just. Bless all who serve You faithfully, Lord. In Your holy name we pray.

Amen.

**ADDENDUM TO THE JOURNAL**

In the Journal of Thursday, March 26, 2009, Senator ROSE wished to be recorded as voting in favor of the adoption of Amendment No. 2A to H. 3352.

\* \* \*

**CORRECTION TO THE JOURNAL**

The following Local Appointment (confirmed) was inadvertently omitted from the Journal of Wednesday, March 25, 2009:

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Marlboro County Magistrate, with the term to commence April 30, 2007, and to expire April 30, 2011

Robert A. Stanton, P. O. Box 418, Bennettsville, SC 29512

[SJ]

**TUESDAY, MARCH 31, 2009**

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**CORRECTION TO THE JOURNAL**

The following appointment of March 10, 2009, to the State Ethics Commission contained an error in the jurisdictional district and the correction is as follows:

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Mark Sanford:

Initial Appointment, South Carolina State Ethics Commission, with the term to commence June 30, 2008, and to expire June 30, 2013

1st Congressional District:

Richard H. Fitzgerald, 354 Schweers Lane, Mt. Pleasant, SC 29464  
*VICE* Marvin Infinger

Referred to the Committee on Judiciary.

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

**RECESS**

At 12:03 A.M., on motion of Senator McCONNELL, the Senate recessed from business not to exceed 15 minutes.

At 12:30 A.M., the Senate resumed.

**RECESS**

At 12:33 P.M., on motion of Senator McCONNELL, the Senate recessed from business until 2:00 P.M.

**AFTERNOON SESSION**

The Senate reassembled at 2:25 P.M. and was called to order by the PRESIDENT.

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Mark C. Sanford:

[SJ]

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**TUESDAY, MARCH 31, 2009**

**Statewide Appointments**

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2006, and to expire May 31, 2009

Appraiser - General:

Herbert R. Sass, III, Sass, Herrin & Ass. 21-C Gamecock Ave., Charleston, SC 29407

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2009, and to expire May 31, 2012

Appraiser - General:

Herbert R. Sass, III, Sass, Herrin & Ass. 21-C Gamecock Ave., Charleston, SC 29407

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2008, and to expire November 27, 2012

Master Social Worker:

Lynn T. Melton, 2680 Mount Zion Rd., Olanta, SC 29114

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2009, and to expire June 30, 2013

At-Large:

Louie C. Chavis, 125 May Morning Drive, Lexington, SC 29073-9443

Referred to the Committee on Judiciary.

**MESSAGE FROM THE GOVERNOR**

State of South Carolina

Office of the Governor

March 30, 2009

Mr. President and Members of the Senate:

[SJ]

**TUESDAY, MARCH 31, 2009**

I respectfully request withdrawal from your consideration the appointment listed below:

Respectfully,  
Mark C. Sanford

**Withdrawal of Statewide Appointment**

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2006, and to expire May 19, 2013

6th Congressional District:

Marion H. Newton, 506 West Oakland Avenue, Sumter, SC 29150  
*VICE* Mr. J. Calhoun Land IV

**Appointment Withdrawn**

On motion of Senator McCONNELL, the Senate acceded to the Governor's request and the Clerk was directed to return the appointment to the Governor.

**REGULATIONS RECEIVED**

The following were received and referred to the appropriate committee for consideration:

Document No. 4054

Agency: Department of Labor, Licensing and Regulation  
SUBJECT: Registration of Immigration Assistance Services  
Received by Lieutenant Governor March 30, 2009  
Referred to Labor, Commerce and Industry Committee  
Legislative Review Expiration March 6, 2010

Document No. 4055

Agency: Department of Labor, Licensing and Regulation  
SUBJECT: Illegal Aliens and Private Employment  
Received by Lieutenant Governor March 30, 2009  
Referred to Labor, Commerce and Industry Committee  
Legislative Review Expiration March 6, 2010

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4022

[SJ]

**TUESDAY, MARCH 31, 2009**

Agency: Riverbanks Parks Commission  
SUBJECT: Riverbanks Parks Commission  
Received by Lieutenant Governor March 5, 2009  
Referred to Fish, Game and Forestry Committee  
Legislative Review Expiration February 9, 2010  
Revised: February 10, 2010  
120 Day Period Tolloed  
Withdrawn and Resubmitted March 31, 2009

**Doctor of the Day**

Senator ANDERSON introduced Dr. Robert Morgan of Greenville, S.C., Doctor of the Day.

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator BRIGHT rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 435 Sens. Reese, Campbell  
S. 630 Sens. Rose, Davis, Alexander, Shoopman  
S. 232 Sens. Coleman, O'Dell, Anderson  
S. 560 Sen. Mulvaney  
S. 618 Sen. Mulvaney  
S. 607 Sen. Knotts

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 633 -- Senator Davis: A CONCURRENT RESOLUTION TO CONGRATULATE WENDELL WILBURN, FIRE CHIEF OF THE CITY OF BEAUFORT, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE CITY OF BEAUFORT, BEAUFORT COUNTY, AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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**TUESDAY, MARCH 31, 2009**

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

S. 634 -- Senators Campsen, Grooms and Cleary: A SENATE RESOLUTION TO CONGRATULATE MS. LUCY G. BECKHAM OF MOUNT PLEASANT ON BEING NAMED THE 2009 SECONDARY PRINCIPAL OF THE YEAR FOR THE STATE OF SOUTH CAROLINA, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA, AND TO WISH HER MUCH SUCCESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 635 -- Senator Rose: A BILL TO AMEND SECTIONS 8-13-100 AND 8-13-1300 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR PURPOSES OF THE STATE ETHICS ACT, TO AMEND THE DEFINITION OF "CONTRIBUTION" TO INCLUDE A LOAN GUARANTEE AS A CONTRIBUTION; TO AMEND SECTION 8-13-1326, RELATING TO CIRCUMSTANCES WHEN A LOAN TO A CANDIDATE IS CONSIDERED A CONTRIBUTION, TO INCLUDE A LOAN GUARANTEE; AND TO AMEND SECTION 8-13-1328, RELATING TO LIMITS ON THE REPAYMENT OF LOANS BY A CANDIDATE, TO PROVIDE THAT AFTER AN ELECTION A CANDIDATE MAY REIMBURSE HIMSELF FOR THE REPAYMENT OF A LOAN.

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Senator ROSE spoke on the Bill.

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

S. 636 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 64 TO TITLE 38 SO AS TO ENACT THE "LIFE SETTLEMENTS ACT"; TO PROVIDE FOR THE REGULATION OF A LIFE SETTLEMENT CONTRACT; TO PROVIDE FOR THE PROTECTION OF PERSONS ENTERING INTO THESE AGREEMENTS REGARDING CONTRACTUAL AND PROPERTY RIGHTS OF A LIFE INSURANCE POLICY OWNER AND AUTHORIZE THE DIRECTOR OF INSURANCE TO ENFORCE

[SJ]

**TUESDAY, MARCH 31, 2009**

THE PROVISIONS OF THIS CHAPTER; TO PROVIDE FOR THE LICENSING OF A BROKER OR PRODUCER TO ENTER INTO LIFE SETTLEMENT CONTRACTS; TO PROVIDE FOR THE SUSPENSION, REVOCATION, OR REFUSAL TO RENEW THESE LICENSES; TO PROVIDE FOR CONTRACT REQUIREMENTS, REPORTING AND PRIVACY REQUIREMENTS; TO AUTHORIZE THE DIRECTOR TO EXAMINE THE BUSINESS AND AFFAIRS OF A LICENSEE OR APPLICANT, PROVIDE FOR EXAMINATION REPORTS AND CONFIDENTIALITY OF EXAMINATION INFORMATION, PROHIBIT CONFLICT OF INTEREST BY AN EXAMINER, AND PROVIDE FOR IMMUNITY FROM LIABILITY; TO PROVIDE FOR ADVERTISING REQUIREMENTS OF A BROKER OR LICENSED PROVIDER; TO PROVIDE FOR CERTAIN DISCLOSURES TO AN OWNER; TO PROVIDE DISCLOSURE BY A PROPOSED OWNER OF A LIFE INSURANCE POLICY IF THE OWNER INTENDS TO PAY PREMIUMS WITH THE ASSISTANCE OF FINANCING FROM A LENDER THAT WILL USE THE POLICY AS COLLATERAL TO SUPPORT THE FINANCING; TO REQUIRE A PROVIDER ENTERING INTO A LIFE SETTLEMENT CONTRACT WITH AN OWNER OF THE POLICY WHERE THE INSURED IS TERMINALLY OR CHRONICALLY ILL TO OBTAIN CERTAIN INFORMATION; TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS TO IMPLEMENT AND EFFECTUATE THE PROVISIONS OF THIS CHAPTER; TO PROVIDE FOR PROHIBITIVE PRACTICES, FRAUD PREVENTION, AND CONTROL; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

S. 637 -- Senator McConnell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 12 TO CHAPTER 13, TITLE 51 SO AS TO AUTHORIZE THE BOARD OF THE PATRIOTS POINT DEVELOPMENT AUTHORITY TO ISSUE REVENUE BONDS AND TO PRESCRIBE THE MANNER IN WHICH, PURPOSES FOR WHICH, AND PROCEDURES UNDER WHICH THESE REVENUE BONDS MAY BE ISSUED.

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[SJ]

**TUESDAY, MARCH 31, 2009**

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

S. 638 -- Senator McConnell: A BILL TO AMEND SECTION 15-36-10 OF THE 1976 CODE OF LAWS OF SOUTH CAROLINA, TO ESTABLISH THAT A CASE DISMISSED BY A DIRECTED VERDICT OR SUMMARY JUDGMENT IS PRESUMED TO BE A PER SE FRIVOLOUS CASE, UNLESS THE COURT FINDS FOR GOOD CAUSE SHOWN IT WAS NOT FRIVOLOUS OR SANCTIONS SHOULD NOT BE IMPOSED.

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

S. 639 -- Senators O'Dell and Nicholson: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF GREENWOOD COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

S. 640 -- Senator Campsen: A BILL TO AMEND SECTION 63-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EQUAL RIGHTS AND DUTIES OF PARENTS REGARDING MINOR CHILDREN, SO AS TO PROVIDE THAT IN ADDITION TO EQUAL ACCESS AND EQUAL RIGHTS TO OBTAIN EDUCATIONAL AND MEDICAL RECORDS, A PARENT HAS EQUAL ACCESS AND EQUAL RIGHTS TO OBTAIN A MINOR CHILD'S COUNSELING AND THERAPY RECORDS.

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

S. 641 -- Senators Bright and Davis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XI OF THE SOUTH CAROLINA CONSTITUTION, 1895, RELATING TO PUBLIC EDUCATION, TO ADD SECTION 5 TO PROVIDE THAT THE

[SJ]

**TUESDAY, MARCH 31, 2009**

GENERAL ASSEMBLY SHALL DEVELOP A SYSTEM FOR FUNDING THE PUBLIC HIGHER EDUCATION INSTITUTIONS OF THIS STATE ON A UNIFORM AND NONDISCRIMINATORY PER PUPIL BASIS.

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

S. 642 -- Senator Alexander: A BILL TO AMEND ARTICLE 31, CHAPTER 5, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3890 TO PROVIDE THAT A PERSON UNDER THE AGE OF EIGHTEEN MAY NOT OPERATE A MOTOR VEHICLE WHILE USING A CELL PHONE OR OTHER WIRELESS COMMUNICATIONS DEVICE AND TO PROVIDE FOR PENALTIES AND EXCEPTIONS.

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

S. 643 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, BAG LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS; USE OF FERTILITY CONTROL OR OTHER CHEMICAL SUBSTANCES IN WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4042, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 644 -- Senator L. Martin: A BILL TO AMEND SECTION 62-1-308 OF THE 1976 CODE, RELATING TO APPEALS FROM THE PROBATE COURT, TO PROVIDE THAT THE COURT OF APPEALS WILL DIRECTLY HEAR APPEALS FROM THE PROBATE COURT.

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

S. 645 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE RADIO STATION 96.3

[SJ]

**TUESDAY, MARCH 31, 2009**

WGOG ON ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE STATION FOR THE MANY CONTRIBUTIONS IT HAS MADE TO THE UPSTATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 646 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE R.C. EDWARDS MIDDLE SCHOOL BAND OF PICKENS COUNTY FOR CAPTURING THE OUTSTANDING CONCERT BAND AWARD AT THE PRESIDENTIAL INAUGURAL HERITAGE BAND FESTIVAL HELD ON JANUARY 18, 2009, IN BALTIMORE, MARYLAND.

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The Senate Resolution was adopted.

S. 647 -- Senator Cromer: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF LEXINGTON COUNTY SCHOOL DISTRICT ONE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

S. 648 -- Senator Cromer: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF LEXINGTON RICHLAND SCHOOL DISTRICT FIVE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

S. 649 -- Senator Cromer: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF THE SCHOOL DISTRICT OF NEWBERRY COUNTY WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW

[SJ]

**TUESDAY, MARCH 31, 2009**

IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

S. 650 -- Senator Cromer: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF SALUDA SCHOOL DISTRICT ONE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

S. 651 -- Senators Knotts, Elliott, Campbell, Cromer, Land and Leatherman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-32-45 SO AS TO PROVIDE THAT A PERSON OWNING AN INTEREST IN A VACATION TIME-SHARING OWNERSHIP PLAN OR A VACATION TIME-SHARING LEASE PLAN MUST BE GIVEN THE OPPORTUNITY FOR A PERIOD OF AT LEAST SEVEN CONSECUTIVE DAYS DURING NORMAL BUSINESS HOURS TO RESERVE OR CONFIRM HIS USE OF THE ACCOMMODATIONS OR FACILITIES TO WHICH HE IS ENTITLED TO USE DURING HIS UNIT WEEK, TO PROVIDE FOR THE TIME PERIODS WHEN THESE RESERVATIONS MUST BE ACCEPTED, AND TO PROVIDE THAT THE ACCOMMODATIONS OR FACILITIES HE IS ENTITLED TO USE AT HIS OPTION MUST BE THE SAME ACCOMMODATIONS OR FACILITIES HIS VACATION TIME-SHARING PLAN CONTRACT REQUIRES.

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

S. 652 -- Senators Knotts, Elliott, Ford and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-56-75 SO AS TO REQUIRE PROFESSIONAL FUNDRAISING COUNSEL, PROFESSIONAL

[SJ]

**TUESDAY, MARCH 31, 2009**

SOLICITORS AND COMMERCIAL CO-VENTURERS TO MAINTAIN LISTS OF DONORS FROM CAMPAIGNS AND SOLICITATIONS CONDUCTED BY THE SOLICITOR; TO PROVIDE THAT THESE LISTS ARE THE PROPERTY OF THE CHARITABLE ORGANIZATION; TO RESTRICT THE USE OF DONOR LISTS BY THE CAMPAIGN SOLICITOR; AND TO PROVIDE CIVIL PENALTIES FOR VIOLATIONS.

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

S. 653 -- Senators Knotts, Cromer, Ford, Bryant, Campbell, Grooms, Massey, Rose and Elliott: A JOINT RESOLUTION TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES SHALL COMPLY WITH THE RECOMMENDATIONS OF THE SOUTH CAROLINA LEGISLATIVE AUDIT COUNCIL CONCERNING THE NONEMERGENCY MEDICAL TRANSPORTATION PROGRAM OPERATED BY THE DEPARTMENT AND TO REPORT TO THE GENERAL ASSEMBLY ON THE DEPARTMENT'S PROGRESS.

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

S. 654 -- Senators Mulvaney and Sheheen: A BILL TO AMEND SECTION 30-5-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PERFORMANCE OF THE REGISTER OF DEEDS' DUTIES BY THE CLERK OF COURT IN CERTAIN COUNTIES, SO AS TO PROVIDE LANCASTER COUNTY HAS A SEPARATE CLERK OF COURT AND REGISTER OF DEEDS; TO AMEND SECTION 30-5-12, AS AMENDED, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS IN CERTAIN COUNTIES, SO AS TO PROVIDE THE GOVERNING BODY OF LANCASTER COUNTY SHALL APPOINT THE REGISTER OF DEEDS FOR LANCASTER COUNTY; AND TO REPEAL ACT 454 OF 2000 RELATING TO THE TRANSFER OF THE DUTIES OF THE REGISTER OF DEEDS IN LANCASTER COUNTY TO THE RECORDS MANAGEMENT DIRECTOR OF LANCASTER COUNTY.

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[SJ]

**TUESDAY, MARCH 31, 2009**

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

S. 655 -- Senators Ryberg, Knotts, Hutto, Ford, Peeler, Leventis, Alexander, Setzler, O'Dell, Rose, Massey, Elliott, Davis, Nicholson, Land, L. Martin, Bryant, Campsen, Courson, Campbell, Grooms and Verdin: A CONCURRENT RESOLUTION TO URGE THE CONGRESS OF THE UNITED STATES TO ENDORSE YUCCA MOUNTAIN'S SUITABILITY AS A PERMANENT FEDERAL REPOSITORY FOR HIGH-LEVEL RADIOACTIVE MATERIALS.

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Senator RYBERG spoke on the Resolution.

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

H. 3084 -- Reps. Toole, Wylie and Hamilton: A BILL TO AMEND SECTION 57-3-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NAMING OF A HIGHWAY FACILITY IN HONOR OF AN INDIVIDUAL, SO AS TO PROVIDE THAT UNLESS THE HIGHWAY FACILITY IS DEDICATED AND NAMED IN HONOR OF EITHER A SERVICEMAN OR LAW ENFORCEMENT OFFICER KILLED IN THE LINE OF DUTY, PUBLIC FUNDS MAY NOT BE USED TO REIMBURSE THE DEPARTMENT OF TRANSPORTATION FOR THE EXPENSES IT INCURS TO NAME AND DEDICATE THE HIGHWAY FACILITY.

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

H. 3161 -- Rep. Harrison: A BILL TO AMEND SECTION 1-23-660, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFICE OF MOTOR VEHICLE HEARINGS WITHIN THE ADMINISTRATIVE LAW COURT, SO AS TO REQUIRE THE OFFICE OF MOTOR VEHICLE HEARINGS TO EMPLOY CERTAIN PROFESSIONAL AND SUPPORT STAFF; AND TO AMEND SECTION 56-5-2952, AS AMENDED, RELATING TO THE FILING FEE TO REQUEST AN ADMINISTRATIVE HEARING, SO AS TO INCREASE THE FILING FEE FROM ONE HUNDRED FIFTY TO TWO HUNDRED FIFTY DOLLARS AND PROVIDE FOR THE DISTRIBUTION OF THE FILING FEE FUNDS COLLECTED.

[SJ]

**TUESDAY, MARCH 31, 2009**

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

H. 3314 -- Rep. Harrison: A BILL TO AMEND SECTIONS 1-30-35, 44-20-30, 44-20-210, 44-20-220, 44-20-225, 44-20-240, 44-20-320, 44-20-350, 44-20-360, 44-20-430, 44-20-1120, 44-20-1130, 44-20-1140, 44-20-1150, 44-20-1160, 44-20-1170, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO PROVIDE THAT THE DEPARTMENT IS HEADED AND GOVERNED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND THAT THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS SERVES AS AN ADVISORY BOARD TO THE DIRECTOR; AND TO REPEAL SECTION 44-20-230 RELATING TO POWERS AND DUTIES OF THE DIRECTOR.

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

H. 3428 -- Reps. Harrell, Cooper and Ott: A BILL TO AMEND SECTION 2-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PRINTING AND DISTRIBUTION OF ACTS, SO AS TO PROVIDE FOR THE MAILING OF ACTS NOT PLACED ON THE DESKS OF MEMBERS OF THE GENERAL ASSEMBLY WHEN THE MEMBER REQUESTS THE SERVICES, REQUIRE THE CLERKS OF THE GENERAL ASSEMBLY TO MAKE ALL ACTS AVAILABLE TO THE PUBLIC AFTER APPROVAL BY THE GOVERNOR, AND GENERALLY RESTRUCTURE THE DISTRIBUTION OF ACTS; TO AMEND SECTION 2-13-190, RELATING TO PRINTING IN SIGNATURES AND DISTRIBUTION OF PAGE PROOFS OR ADVANCE SHEETS, SO AS TO DELETE THE REQUIREMENT THAT THE CODE COMMISSIONER SEND A COPY OF EACH ADVANCE SHEET TO A DELINEATED LIST OF PERSONS, PROVIDE FOR PRINTING BY THE OFFICE OF LEGISLATIVE PRINTING, INFORMATION AND TECHNOLOGY SYSTEMS (LPITS) OF NOT MORE THAN TWENTY-FIVE COPIES OF THE ADVANCE SHEETS AS THE CODE COMMISSIONER ORDERS, AND TO DIRECT LPITS TO PUBLISH THE ADVANCE SHEETS ONLINE AS DIRECTED BY THE CODE COMMISSIONER; TO AMEND

[SJ]

**TUESDAY, MARCH 31, 2009**

SECTION 8-15-40, RELATING TO THE DELIVERY OF THE CODE AND SUPPLEMENTS TO SUCCESSORS IN OFFICE, SO AS TO ALLOW THE CODE COMMISSIONER TO DETERMINE THE VALUE OF THE SET; TO AMEND SECTION 11-25-640, AS AMENDED, RELATING TO PERSONS ENTITLED TO RECEIVE ACTS AND JOINT RESOLUTIONS, SO AS TO NARROW THE LIST OF THOSE PERSONS RECEIVING THE ACTS AND JOINT RESOLUTIONS; AND TO AMEND SECTION 11-25-650, RELATING TO DISTRIBUTION OF COPIES AND PUBLICATIONS TO THE UNIVERSITY OF SOUTH CAROLINA LAW LIBRARY, SO AS TO DECREASE THE NUMBER OF COPIES PROVIDED OF THE ACTS AND JOINT RESOLUTIONS, THE CODE, AND THE REPORTS OF THE SUPREME COURT.

Senator McCONNELL spoke on the Bill.

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

H. 3733 -- Reps. Agnew and Gambrell: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF THE ABBEVILLE COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3776 -- Reps. A. D. Young, Harrell, Horne and Knight: A BILL TO AUTHORIZE DORCHESTER COUNTY TO PAY PER DIEM, TRAVEL, OR OTHER EXPENSES TO A MEMBER OF A COUNTY BOARD OR COMMISSION WHEN THE MEMBER TRAVELS AND INCURS EXPENSES RELATING TO HIS DUTIES WHILE SERVING ON THE BOARD.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 3796 -- Reps. J. H. Neal, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons,

[SJ]

**TUESDAY, MARCH 31, 2009**

Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE LOWER RICHLAND HIGH SCHOOL "LADY DIAMONDS" BASKETBALL TEAM ON ITS IMPRESSIVE WIN OF THE 2009 CLASS AAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS, COACH, AND STAFF ON AN OUTSTANDING SEASON.

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

H. 3808 -- Rep. Moss: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE REVEREND DR. JAMES WILLIAM SANDERS, SR., UPON THE OCCASION OF HIS SIXTIETH ANNIVERSARY AS PASTOR OF BETHEL BAPTIST CHURCH IN GAFFNEY.

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

H. 3827 -- Reprs. Erickson, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe,

**TUESDAY, MARCH 31, 2009**

Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO CONGRATULATE WENDELL WILBURN, FIRE CHIEF OF THE CITY OF BEAUFORT, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE CITY OF BEAUFORT, BEAUFORT COUNTY, AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

**REPORTS OF STANDING COMMITTEES**

**Invitations Accepted**

The following invitations were polled out of the Invitations Committee with a favorable report and the members of the committee voting as follows:

**Poll of the Invitations Committee**

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

**AYES**

Knotts	Alexander	McGill
Reese	O'Dell	Elliott
Ford	Verdin	Campsen
Cromer	Malloy	

**Total--11**

**NAYS**

**Total--0**

Tuesday, April 21, 2009, 6:30 – 10:00 p.m.

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**TUESDAY, MARCH 31, 2009**

Members of the Senate and one guest, 34<sup>th</sup> Annual Citadel Alumni Association Legislative Barbecue, Cantey Building at the State Fair Grounds, by CITADEL ALUMNI ASSOCIATION

Wednesday, April 22, 2009, 12:00 – 2:00 p.m.

Members of the Senate, clerks and attaches, “Taste of South Carolina” Luncheon, State House Grounds, by HOSPITALITY ASSOCIATION OF SOUTH CAROLINA

Wednesday, April 22, 2009, 6:00 – 8:00 p.m.

Members of the Senate, clerks and attaches, “Annual Legislator Appreciation Night & Celebration of Golf” Reception, Vista Room at the Blue Marlin, by SOUTH CAROLINA JUNIOR GOLF FOUNDATION

Thursday, April 23, 2009, 8:00 – 10:00 a.m.

Members of the Senate, clerks and attaches, Breakfast, Room 112, Blatt Building, by NATIONAL MULTIPLE SCLEROSIS SOCIETY, MID-ATLANTIC CHAPTER

Tuesday, April 28, 2009, 6:00 – 8:00 p.m.

Members of the Senate, Reception, Clarion Town House Hotel, by SOUTH CAROLINA ASSOCIATION OF MUNICIPAL POWER SYSTEMS

Tuesday, April 28, 2009, 6:00 – 9:00 p.m.

Members of the Senate, Oyster Roast Reception, Seibels House, by SOUTH CAROLINA CONSERVATION COMMUNITY

Wednesday, April 29, 2009, 8:00 – 10:00 a.m.

Members of the Senate, “Knowledge Economy” Breakfast, Room 112, Blatt Building, by SC CENTERS OF ECONOMIC EXCELLENCE, SC RESEARCH AUTHORITY AND HEALTH SCIENCES SC

Wednesday, April 29, 2009, 11:30 a.m. – 2:00 p.m.

Members of the Senate, clerks and attaches, “A South Carolina Taste” Luncheon, State House Grounds, by PALMETTO AGRICULTURE AND FOOD INDUSTRY COUNCIL SOUTH CAROLINA DEPARTMENT OF AGRICULTURE

**TUESDAY, MARCH 31, 2009**

Wednesday, April 29, 2009, 6:00 – 7:00 p.m.

Members of the Senate, Reception, Clarion Town House Hotel, by  
SC ASSOCIATION OF CERTIFIED PUBLIC ACCOUNTANTS

Wednesday, April 29, 2009, 6:00 – 8:00 p.m.

Members of the Senate, clerks and attaches, Reception, Clarion Town  
House Hotel, by CONCRETE AND CEMENT INDUSTRIES OF  
SOUTH CAROLINA

Wednesday, April 29, 2009, 6:00 – 8:00 p.m.

Members of the Senate, Reception, Capital City Club, by SOCIETY  
OF THE PLASTICS INDUSTRY, INC.

Thursday, April 30, 2009, 8:00 – 10:00 a.m.

Members of the Senate, clerks and attaches, Breakfast, Blatt Building,  
Room 112, by PIEDMONT NATURAL GAS

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

**ORDERED ENROLLED FOR RATIFICATION**

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

H. 3463 -- Reps. G.R. Smith, Bannister and Hiott: A BILL TO  
AMEND SECTION 56-7-20, AS AMENDED, CODE OF LAWS OF  
SOUTH CAROLINA, 1976, RELATING TO HANDWRITTEN AND  
ELECTRONIC TRAFFIC TICKETS, SO AS TO DELETE THE  
PROVISIONS THAT REQUIRE ELECTRONIC TRAFFIC TICKETS  
TO BE PRINTED IN SPECIFIC COLORS.

**THIRD READING BILLS**

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

S. 217 -- Senator Fair: A BILL TO AMEND SECTION 24-3-20, OF  
THE SOUTH CAROLINA CODE, TO SUBSTITUTE THE TERM  
“REGIONAL COUNTY OR MUNICIPAL JAIL” FOR THE TERM  
“COUNTY JAIL”, AND TO INCLUDE FACILITY MANAGERS OF

**TUESDAY, MARCH 31, 2009**

THE COUNTY, MUNICIPAL ADMINISTRATORS, OR THEIR EQUIVALENT AS PERSONS WHO THE STATE MUST OBTAIN CONSENT FROM TO HOUSE AS AN INMATE IN A LOCAL GOVERNMENTAL FACILITY; TO AMEND SECTION 24-3-27, TO PROVIDE THAT THE DECISION TO ASSIGN WORK OR DISQUALIFY A PERSON FROM WORK IN A FACILITY IS IN THE SOLE DISCRETION OF THE OFFICIAL IN CHARGE OF THE FACILITY AND MAY NOT BE CHALLENGED. (ABBREVIATED TITLE).

S. 602 -- Finance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF REVENUE, RELATING TO FEDERAL GOVERNMENT CONSTRUCTION CONTRACTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4004, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 470 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-560 SO AS TO SPECIFY APPLICABLE FEES FOR RECREATIONAL SALTWATER FISHING LICENSES; BY ADDING SECTION 50-9-715 SO AS TO SPECIFY RECREATIONAL SALTWATER FISHING LICENSE EXEMPTIONS; BY ADDING SECTION 50-9-925 SO AS TO SPECIFY HOW THE REVENUE FROM THE SALE OF STAMPS, LICENSES, PRINTS, AND RELATED ARTICLES MUST BE DISTRIBUTED; TO AMEND SECTION 50-5-15, RELATING TO THE DEFINITIONS APPLICABLE TO THE SOUTH CAROLINA MARINE RESOURCES ACT, SO AS TO DEFINE THE TERMS "DROP NET" AND "FOLD UP TRAP"; TO AMEND SECTION 50-5-955, RELATING TO THE DESIGNATION AND MAINTENANCE OF PUBLIC SHELLFISH GROUNDS, SO AS TO SUBSTITUTE REFERENCE TO THE RECREATIONAL SALTWATER FISHING LICENSE FOR THE MARINE RECREATIONAL FISHING STAMP; TO AMEND SECTION 50-5-1915, RELATING TO CHARTER FISHING VESSEL LOGS, SO AS TO REQUIRE MONTHLY SUBMISSIONS TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 50-9-20, RELATING TO THE DURATION OF

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HUNTING AND FISHING LICENSES, SO AS TO REMOVE REFERENCES TO RESIDENT AND NONRESIDENT LICENSES; TO AMEND SECTION 50-9-40, RELATING TO LICENSES FOR FRESHWATER FISHING, SO AS TO SPECIFY RECREATIONAL FRESHWATER FISHING; TO AMEND SECTION 50-9-540, AS AMENDED, RELATING TO FRESHWATER AND SALTWATER FISHING LICENSES, SO AS TO MAKE TECHNICAL CORRECTIONS; AND TO REPEAL SECTIONS 50-5-1905, 50-5-1910 50-5-1920, 50-5-1925, AND 50-5-1945 ALL RELATING TO RECREATIONAL SALTWATER FISHERIES LICENSES AND STAMPS.

S. 594 -- Senator Leatherman: A BILL TO AMEND SECTION 59-147-30 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF REVENUE BONDS UNDER THE PROVISIONS OF THE HIGHER EDUCATION REVENUE BOND ACT, TO CLARIFY THOSE ELIGIBLE FACILITIES WHICH MAY BE FINANCED UNDER THE ACT; AND TO REPEAL SECTION 59-147-120 RELATING TO LIMITATIONS ON THE ISSUANCE OF CERTAIN REVENUE BONDS.

S. 620 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSIONERS OF PILOTAGE, RELATING TO ENFORCEMENT OF PILOT STATUES AND MARITIME HOMELAND SECURITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4053, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 623 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE LAW ENFORCEMENT DIVISION, RELATING TO STATEWIDE CRIMINAL GANG DATABASE, DESIGNATED AS REGULATION DOCUMENT NUMBER 3221, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**SECOND READING BILL**

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

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H. 3664 -- Rep. Merrill: A BILL TO AMEND SECTION 59-147-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF REVENUE BONDS UNDER THE PROVISIONS OF THE HIGHER EDUCATION REVENUE BOND ACT, SO AS TO CLARIFY THOSE ELIGIBLE FACILITIES WHICH MAY BE FINANCED UNDER THE ACT; AND TO REPEAL SECTION 59-147-120 RELATING TO LIMITATIONS ON THE ISSUANCE OF CERTAIN REVENUE BONDS.

Senator O'DELL explained the Bill.

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 116 -- Senators Knotts and McConnell: A BILL TO AMEND SECTION 11-35-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO DELETE THE DEFINITION FOR "OFFICE"; TO AMEND SECTION 11-35-1524, AS AMENDED, RELATING TO VENDOR PREFERENCES, SO AS TO PROVIDE FOR PREFERENCES FOR END PRODUCTS FROM SOUTH CAROLINA AND FROM THE UNITED STATES AND FOR CONTRACTORS AND SUBCONTRACTORS WHO EMPLOY INDIVIDUALS DOMICILED IN SOUTH CAROLINA, TO DEFINE CERTAIN TERMS, PROVIDE FOR ELIGIBILITY REQUIREMENTS FOR THE PREFERENCES, PROVIDE FOR APPLICATION FOR THE PREFERENCES AND PENALTIES FOR FALSE APPLICATION, AND TO MAKE EXCEPTIONS TO THE PREFERENCES; TO AMEND SECTION 11-35-40, AS AMENDED, RELATING TO COMPLIANCE WITH FEDERAL REQUIREMENTS, SO AS TO PROVIDE FOR COMPLIANCE WITH THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 11-35-3215, RELATING TO CONTRACTS FOR DESIGN SERVICES, SO AS TO PROVIDE FOR A RESIDENT PREFERENCE; AND TO REPEAL SECTION 11-35-3025 RELATING TO APPROVAL OF CHANGE ORDERS IN CONNECTION WITH CERTAIN CONTRACTS.

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

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The Committee on Finance proposed the following amendment (116FIN001), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 36 and 37 and inserting:

/ Whereas, the General Assembly finds that the economic crisis plaguing our nation and this State, particularly the exceptionally high rate of unemployment in our State, requires action; and

Whereas, the General Assembly finds that it is crucial to this state's economic recovery to purchase goods manufactured and produced in the State, maintain the circulation of the funds of the citizens of this State within this State, and encourage and facilitate job development and economic growth by providing both assistance and opportunity to this state's small businesses to participate as providers and vendors of goods and services to the State; and

Whereas, the General Assembly determines that various preferences should be accorded to residents both for the purpose of employment and business development when the State expends funds in the manner provided in this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina: /

Re-number sections to conform.

Amend title to conform.

Senator O'DELL explained the committee amendment.

The committee amendment was adopted.

The question then was the second reading of the Bill.

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

**Ayes 39; Nays 0**

**AYES**

Alexander	Anderson	Bright
Bryant	Campbell	Campsen
Cleary	Coleman	Courson
Cromer	Davis	Elliott
Fair	Ford	Grooms
Hayes	Hutto	Knotts

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Land	Leatherman	Lourie
Malloy	<i>Martin, L.</i>	<i>Martin, S.</i>
Massey	Matthews	McConnell
McGill	Nicholson	O'Dell
Peeler	Reese	Rose
Scott	Setzler	Sheheen
Shoopman	Verdin	Williams

**Total--39**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 445 -- Senators Cleary and McGill: A BILL TO AMEND CHAPTER 13, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF FISH, BY ADDING SECTION 50-13-2017 TO ESTABLISH THE FLOUNDER POPULATION STUDY PROGRAM IN GEORGETOWN COUNTY, IN THE WATERS OF MURRELLS INLET ESTUARY, PAWLEYS ISLAND ESTUARY, AND THE CREEKS OF LITCHFIELD FLOWING INTO PAWLEYS ISLAND ESTUARY, TO SET FLOUNDER CATCH LIMITS AND PROHIBIT THE USE OF ARTIFICIAL ILLUMINATION POWERED BY GENERATORS, TO SET PENALTIES FOR VIOLATIONS OF THIS RESOLUTION, AND TO ESTABLISH THE DURATION OF THE PROGRAM.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Fish, Game and Forestry.

The Committee on Fish, Game and Forestry proposed the following amendment (445R001.RWC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

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/ SECTION 1. Chapter 5, Title 50 of the 1976 Code is amended by adding:

“Section 50-5-17. (A) There is established the Flounder Pilot Program to be administered by the Department of Natural Resources. The program shall institute statewide catch limits for flounder (*Paralichthys* species) and prohibit artificial illumination powered by generators used to harvest flounder in all inshore estuarine waters from Pawley’s Inlet, north to the northern terminus of Main Creek at Garden City Beach.

(B) During the term of the program it is unlawful to use any type of artificial illumination powered by a generator while gigging or fishing for flounder from a boat or while wading in the water that comprises the inshore estuarine waters from Pawley’s Inlet, north to the northern terminus of Main Creek at Garden City Beach.

(C) The program shall begin July 1, 2009, and end June 30, 2014.”

SECTION 2. Section 50-5-1705(F) of the 1976 Code is amended to read:

“(F) It is unlawful for a person to take or possess more than ~~twenty~~ ten flounder (*Paralichthys* species) taken by means of gig, spear, hook and line, or similar device in any one day, not to exceed ~~forty~~ twenty flounder in any one day on any boat.”

SECTION 3. This act takes effect upon approval of the Governor./  
Amend title to conform.

Senator CROMER explained the committee amendment.

The committee amendment was adopted.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**Motion Adopted**

On motion of Senator FAIR, with unanimous consent, Senators REESE and FAIR were granted leave to attend a meeting and be granted leave to vote from the balcony.

**COMMITTEE AMENDMENT WITHDRAWN, AMENDED  
READ THE SECOND TIME**

S. 324 -- Senators Malloy, Leventis, Lourie, Bryant, Courson, Scott, Williams, Davis and Cleary: A JOINT RESOLUTION TO IMPOSE A

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MORATORIUM ON THE CONSIDERATION OF PERMIT APPLICATIONS, REQUESTS TO EXPAND OR REPLACE EXISTING LANDFILLS, AND THE ISSUANCE OF PERMITS FOR THE CONSTRUCTION OF NEW LANDFILLS IN THE STATE UNTIL DECEMBER 31, 2010.

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

The Medical Affairs Committee proposed the following amendment (S-324 SUBAMENDMENT), which was withdrawn:

Amend the joint resolution, as and if amended, beginning on page 3, by striking SECTION 1 and SECTION 2 in their entirety and inserting:

/ SECTION 1. (A) The definitions set forth in Section 44-96-250 and Regulation 61-107.19 of the 1976 Code apply throughout this resolution.

(B) There is hereby established, unless otherwise provided in Sections (C), (D) and (E) below, a moratorium on the consideration of applications for a permit, the issuance of a permit, and any intermediate approval required as part of the permitting process, for new Class 3 Municipal Solid Waste landfills that are not onsite landfills and for the expansion or replacement of existing Class 3 Municipal Solid Waste landfills that are not onsite landfills in the State. The moratorium remains in effect until Regulation 61-107.17 is revised to include the recommendation of the Landfill Capacity Work Group established by the board of the Department of Health and Environmental Control on August 14, 2008, regarding the annual disposal rate at municipal solid waste landfills; and the regulation is approved by the General Assembly and published in the State Register or until December 31, 2010 whichever is earlier.

(C) The moratorium established in Section (B) does not apply to any administratively complete permit application for an expansion of an existing Class 3 landfill which is pending at the Department of Health and Environmental Control and which does not include a request to increase the permitted annual disposal rate of the landfill.

(D) The moratorium established in Section (B) does not apply to permit applications for, or intermediate approvals required for, expansions of existing Class 3 Municipal Solid Waste landfills in this State.

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(E) No approval for increasing the permitted annual disposal rate at a Class 3 Municipal Solid Waste landfill that is not an onsite landfill may be issued until after the expiration date of this moratorium.

SECTION 2. This joint resolution takes effect upon approval of the Governor. /

Renumber sections to conform.  
Amend title to conform.

On motion of Senator VERDIN, with unanimous consent, the amendment proposed by the Committee on Medical Affairs was withdrawn.

**Amendment No. 1**

Senator HUTTO proposed the following Amendment No. 1 (S-324 BH), which was adopted:

Amend the joint resolution, as and if amended, beginning on page 3, by striking SECTION 1 and SECTION 2 in their entirety and inserting:

/ SECTION 1. (A) The definitions set forth in Section 44-96-250 and Regulation 61-107.19 of the 1976 Code apply throughout this resolution.

(B) There is hereby established, unless otherwise provided in Sections (C), (D) and (E) below, a moratorium on the issuance of a permit for new Class 3 Municipal Solid Waste landfills that are not onsite landfills and for the expansion or replacement of existing Class 3 Municipal Solid Waste landfills that are not onsite landfills in the State. The moratorium remains in effect until Regulation 61-107.17 is revised to include the recommendation of the Landfill Capacity Work Group established by the board of the Department of Health and Environmental Control on August 14, 2008, regarding the annual disposal rate at municipal solid waste landfills; and the regulation is approved by the General Assembly and published in the State Register or until December 31, 2010 whichever is earlier.

(C) The moratorium established in Section (B) does not apply to any administratively complete permit application for an expansion of an existing Class 3 landfill which is pending at the Department of Health and Environmental Control and which does not include a request to increase the permitted annual disposal rate of the landfill.

(D) The moratorium established in Section (B) does not apply to permit applications for expansions of existing Class 3 Municipal Solid Waste landfills in this State.

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(E) No approval for increasing the permitted annual disposal rate at a Class 3 Municipal Solid Waste landfill that is not an onsite landfill may be issued until after the expiration date of this moratorium.

SECTION 2. This joint resolution takes effect upon approval of the Governor. /

Renumber sections to conform.  
Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

**Amendment No. 2**

Senator McGILL proposed the following Amendment No. 2 (324R003.HSP), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 4, by adding after line 43 a new subsection to read:

/ (F) The moratorium established in Section (B) does not apply to a county under order by the Department of Health and Environmental Control to close an existing unlined landfill. A county under order to close an existing landfill is allowed to receive a landfill permit from the department for the purpose of disposing waste generated in the county or waste generated as a result of a joint venture between two or more counties within the State. /

Renumber sections to conform.  
Amend title to conform.

Senator McGILL explained the amendment.

The amendment was adopted.

The question then was the second reading of the Joint Resolution.

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

**Ayes 42; Nays 0**

**AYES**

Alexander	Anderson	Bright
Bryant	Campbell	Campsen

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Cleary	Courson	Cromer
Davis	Elliott	Fair
Ford	Hayes	Jackson
Knotts	Land	Leatherman
Leventis	Lourie	Malloy
<i>Martin, L.</i>	<i>Martin, S.</i>	Massey
Matthews	McConnell	McGill
Mulvaney	Nicholson	O'Dell
Peeler	Pinckney	Reese
Rose	Ryberg	Scott
Setzler	Sheheen	Shoopman
Thomas	Verdin	Williams

**Total--42**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**MINORITY REPORT REMOVED, OBJECTION**

S. 424 -- Senators Bright, S. Martin, Alexander, Campbell, Fair, Knotts, Cromer, Mulvaney, Verdin, L. Martin, Shoopman, Rose, McConnell, Thomas, Cleary, Courson, Coleman, Davis, Reese, Campsen, Grooms, Ryberg, Peeler, O'Dell, Bryant and Massey: A CONCURRENT RESOLUTION TO AFFIRM SOUTH CAROLINA'S SOVEREIGNTY UNDER THE TENTH AMENDMENT TO THE UNITED STATES CONSTITUTION OVER ALL POWERS NOT ENUMERATED AND GRANTED TO THE FEDERAL GOVERNMENT BY THE UNITED STATES CONSTITUTION.

Senator HUTTO asked unanimous consent to remove the minority report from the Concurrent Resolution.

There was no objection, the minority report was removed and proper notation was made on the Resolution.

Senator HUTTO spoke on the Resolution.

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Senator L. MARTIN objected to further consideration of the Resolution.

**ADOPTED**

S. 592 -- Senator Lourie: A SENATE RESOLUTION TO RECOGNIZE THE IMPORTANCE OF WORLD TUBERCULOSIS DAY AS FOCUSING ATTENTION ON ONE OF THE WORLD'S DEADLIEST KILLERS AND TO DECLARE TUESDAY, MARCH 24, 2009, AS "SOUTH CAROLINA TUBERCULOSIS DAY".

The Senate Resolution was adopted.

**PRESIDENT *PRO TEMPORE* PRESIDES**

At 3:34 P.M., Senator McCONNELL assumed the Chair.

**CARRIED OVER**

S. 23 -- Senator Jackson: A BILL TO AMEND ARTICLE 47, CHAPTER 5, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHILD PASSENGER RESTRAINT SYSTEMS, SO AS TO DELETE THE TERM "THIS ARTICLE" AND REPLACE IT WITH "SECTION 56-5-6410", AND TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OR OCCUPANT OF A MOTOR VEHICLE TO SMOKE A TOBACCO PRODUCT WHILE A CHILD WHO IS LESS THAN TEN YEARS OLD IS ALSO AN OCCUPANT OF THE MOTOR VEHICLE, AND TO PROVIDE A PENALTY.

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

H. 3378 -- Rep. Cooper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-192 SO AS TO PROVIDE FOR THE TERMS AND CONDITIONS OF MANDATORY STATE AGENCY FURLOUGH PROGRAMS AND TO DELETE THE PROVISIONS OF PARAGRAPH 89.120, PART IB, OF ACT 310 OF 2008, RELATING TO STATE AGENCY FURLOUGHS.

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

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

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**RECALLED**

H. 3627 -- Reps. Miller and Anderson: A BILL TO AMEND SECTION 59-67-535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF BOATS OPERATED BY THE STATE DEPARTMENT OF EDUCATION FOR THE TRANSPORTATION OF SCHOOL CHILDREN FROM ISLANDS TO MAINLAND SCHOOLS BY CERTAIN OTHER PERSONS, SO AS TO FURTHER PROVIDE FOR THE OPERATION OF THESE BOATS BY THE DEPARTMENT ON SANDY ISLAND, FOR USE OF THESE BOATS BY SPECIFIED PERSONS, AND THE PROCEDURES APPLICABLE FOR USE.

Senator CLEARY moved to recall the Bill from the Committee on Education.

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

**MADE A SPECIAL ORDER**

S. 576 -- Senators McConnell, Malloy, Scott and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 2, SO AS TO ESTABLISH THE CAPITOL POLICE FORCE, WHICH SHALL CONSIST OF THE CAPITOL POLICE FORCE, THE SERGEANT AT ARMS OF THE SENATE, THE SERGEANT AT ARMS OF THE HOUSE, AND THE MARSHAL OF THE SUPREME COURT; TO PROVIDE THAT THE FUNCTIONS, POWERS, DUTIES, AND RESPONSIBILITIES EXERCISED BY THE DEPARTMENT OF PUBLIC SAFETY AND THE BUREAU OF PUBLIC SERVICES AT THE STATE HOUSE AND CAPITOL GROUNDS AND THE SUPREME COURT BUILDING INCLUDING ITS GROUNDS AND PARKING LOT, INCLUDING ALL CLASSIFIED AND UNCLASSIFIED EMPLOYEES WHOSE DUTIES INVOLVE THE PROVISION OF SECURITY SERVICES AT THE STATE HOUSE AND CAPITOL GROUNDS AND THE SUPREME COURT BUILDING INCLUDING ITS GROUNDS AND PARKING LOT, BUT EXCLUDING THOSE AREAS OF THE STATE HOUSE THAT ARE RESERVED FOR THE EXECUTIVE CHAMBER AND THE GOVERNOR'S STAFF, BE DEVOLVED AND TRANSFERRED TO THE CAPITOL POLICE FORCE; TO PROVIDE THAT THE SERGEANT AT ARMS OF THE SENATE AND THE SERGEANT

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AT ARMS OF THE HOUSE SHALL HAVE EXCLUSIVE CARE AND CHARGE OVER THOSE AREAS DESCRIBED IN SECTION 2-3-100, AND TO PROVIDE THAT THE MARSHAL OF THE SUPREME COURT SHALL HAVE PRIMARY RESPONSIBILITY OVER THE SUPREME COURT BUILDING INCLUDING ITS GROUNDS AND PARKING LOT AND THE CALHOUN BUILDING; TO PROVIDE FOR THE CREATION OF THE CAPITOL POLICE FORCE COMMITTEE, CONSISTING OF THREE MEMBERS OF THE SENATE APPOINTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE, THREE MEMBERS OF THE HOUSE APPOINTED BY THE SPEAKER, AND THREE MEMBERS APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT OF SOUTH CAROLINA, AND TO PROVIDE THAT THE DIRECTOR OF GENERAL SERVICES SHALL SERVE AS A NON-VOTING EX OFFICIO MEMBER, TO PROVIDE FOR THE DUTIES OF THE CAPITOL POLICE FORCE COMMITTEE; TO PERMIT THE CHIEF OF THE CAPITOL POLICE FORCE TO EMPLOY SUCH DEPUTY OFFICERS AND OTHER EMPLOYEES AS NECESSARY; TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE, THE SERGEANTS AT ARMS OF THE SENATE AND HOUSE, THE MARSHAL OF THE SUPREME COURT, AND ALL THEIR DEPUTIES SHALL HAVE THE SAME POLICE POWERS AS SHERIFFS AND DEPUTY SHERIFFS; TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE MAY ENTER INTO RECIPROCAL LAW ENFORCEMENT AGREEMENTS; TO PROVIDE THAT THE CHIEF OF THE CAPITOL POLICE FORCE, THE SERGEANTS AT ARMS OF THE SENATE AND HOUSE, THE MARSHAL OF THE SUPREME COURT, AND THEIR DEPUTIES MUST DEMONSTRATE KNOWLEDGE OF THE DUTIES OF LAW ENFORCEMENT OFFICERS OR UNDERGO TRAINING REQUIRED OF OFFICERS OF THE SOUTH CAROLINA STATE POLICE; AND TO PROVIDE FOR THE DUTIES OF THE CAPITOL POLICE FORCE OFFICERS; TO AMEND SECTION 10-1-30 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO PROVIDE THAT THE CAPITOL POLICE FORCE SHALL PROVIDE SECURITY SERVICES FOR ALL USES OF THE STATE HOUSE LOBBIES, STATE HOUSE STEPS AND GROUNDS, AND ALL PUBLIC BUILDINGS AND GROUNDS ON THE CAPITOL GROUNDS; TO AMEND CHAPTER 11 OF TITLE 10 OF THE

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CODE OF LAWS OF SOUTH CAROLINA, 1976, TO PROVIDE THAT THE PARKING LOTS ON THE CAPITOL GROUNDS AND AT THE SUPREME COURT BUILDING SHALL BE POLICED BY THE CAPITOL POLICE FORCE; TO DELETE SECTION 10-11-90, RELATING TO NIGHT WATCHMEN AND POLICEMEN EMPLOYED BY THE BUDGET AND CONTROL BOARD, TO AMEND SECTIONS 10-11-90 AND 10-11-100, RELATING TO NIGHT WATCHMEN; TO AMEND SECTION 10-11-110, RELATING TO TRAFFIC AND PARKING, TO PROVIDE THAT THE CAPITOL POLICE FORCE HAS THE RIGHT TO ISSUE PARKING TICKETS; TO AMEND SECTION 10-11-130, REMOVING REFERENCES TO THE CITY OF COLUMBIA RECORDER AND VESTING JURISDICTION IN CRIMINAL MATTERS IN MAGISTRATE'S COURT; TO DELETE SECTION 10-11-150, RELATING TO THE STATE HOUSE RENOVATION PROJECT; AND TO AMEND SECTION 10-11-310, RELATING TO THE DEFINITION OF CAPITOL GROUNDS; TO INCLUDE THE SUPREME COURT BUILDING INCLUDING ITS GROUNDS AND PARKING LOT; AND TO ADD SECTION 14-3-135 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY CREATING THE MARSHAL OF THE SUPREME COURT AND TO DEFINE HIS DUTIES.

Senator L. MARTIN moved that the Resolution be made a Special Order.

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

**Ayes 39; Nays 4**

**AYES**

Alexander	Anderson	Bright
Bryant	Campbell	Cleary
Courson	Cromer	Elliott
Fair	Ford	Hayes
Hutto	Jackson	Knotts
Land	Leatherman	Leventis
Lourie	Malloy	<i>Martin, L.</i>
<i>Martin, S.</i>	Massey	Matthews
McConnell	McGill	Mulvaney
Nicholson	O'Dell	Peeler

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Pinckney	Reese	Scott
Setzler	Sheheen	Shoopman
Thomas	Verdin	Williams

**Total--39**

**NAYS**

Campsen	Davis	Rose
Ryberg		

**Total--4**

The Resolution was made a Special Order.

**MOTION ADOPTED**

On motion of Senator L. MARTIN, the Senate agreed to dispense with the Motion Period.

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

**NONCONCURRENCE**

H. 3583 -- Reps. Funderburk, Lucas and Gunn: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON FEBRUARY 4, 2009, BY THE STUDENTS OF MIDWAY ELEMENTARY, BETHUNE ELEMENTARY, MOUNT PISGAH ELEMENTARY, BARON DEKALB ELEMENTARY, NORTH CENTRAL MIDDLE, AND NORTH CENTRAL HIGH SCHOOLS WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

The House returned the Bill with amendments.

On motion of Senator L. MARTIN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., March 31, 2009

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Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from its amendments:

H. 3583 -- Reps. Funderburk, Lucas and Gunn: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON FEBRUARY 4, 2009, BY THE STUDENTS OF MIDWAY ELEMENTARY, BETHUNE ELEMENTARY, MOUNT PISGAH ELEMENTARY, BARON DEKALB ELEMENTARY, NORTH CENTRAL MIDDLE, AND NORTH CENTRAL HIGH SCHOOLS WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Very respectfully,  
Speaker of the House  
Received as information

**ORDERED ENROLLED FOR RATIFICATION**

H. 3583 -- Reps. Funderburk, Lucas and Gunn: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON FEBRUARY 4, 2009, BY THE STUDENTS OF MIDWAY ELEMENTARY, BETHUNE ELEMENTARY, MOUNT PISGAH ELEMENTARY, BARON DEKALB ELEMENTARY, NORTH CENTRAL MIDDLE, AND NORTH CENTRAL HIGH SCHOOLS WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

It was ordered that the title be changed to that of an Act and enrolled for Ratification.

There was no objection and the Resolution was ordered enrolled for Ratification.

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

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

H. 3352 -- Reprs. Cooper, Owens, Stewart, Whitmire, Funderburk, Rice, Wylie, Allison, E.H. Pitts, R.L. Brown, White, Stavrinakis, Miller, Anderson, Battle, Hayes, Gilliard, Sottile, Mack, Harvin, Whipper, Hutto, G.R. Smith, Knight, Willis, Neilson, T.R. Young, Cobb-Hunter, J.H. Neal, Clyburn, G.M. Smith, Kennedy, Herbkersman, Merrill, Bingham, Ott, J.R. Smith, A.D. Young, Kirsh, Lucas, Littlejohn, Edge, Limehouse, M.A. Pitts, Loftis, D.C. Smith, Pinson, Barfield, Bannister, Dillard, Stringer, Allen, Nanney, Govan, Parker, Frye, Hardwick, Hearn, J.E. Smith, Clemmons, Agnew, Bedingfield, Williams, Vick, Horne, Bales and Umphlett: A JOINT RESOLUTION TO ALLOW LOCAL SCHOOL DISTRICTS AND SPECIAL SCHOOLS TO TRANSFER FUNDS AMONG APPROPRIATED REVENUES IN ORDER TO ENSURE THE DELIVERY OF ACADEMIC AND ARTS INSTRUCTION DURING THE 2008-2009 AND 2009-2010 FISCAL YEARS; TO ALLOW SCHOOL DISTRICTS FOR FISCAL YEARS 2008-2009 AND 2009-2010 TO SUSPEND CERTAIN PROFESSIONAL STAFFING RATIOS, TO TRANSFER FUNDS, TO DELAY THE DATE THAT TEACHER CONTRACTS ARE ISSUED, AND TO NEGOTIATE SALARIES FOR RETIRED AND TERE TEACHERS BELOW MINIMUM SALARY REQUIREMENTS; TO ALLOW SCHOOL DISTRICTS FOR THE 2008-2009 AND 2009-2010 FISCAL YEARS TO FURLOUGH TEACHERS AND SCHOOL AND DISTRICT ADMINISTRATORS UPON CERTAIN CONDITIONS; TO PROVIDE CERTIFICATION AND REPORTING REQUIREMENTS; TO SUSPEND CERTAIN FORMATIVE ASSESSMENTS AND TO ALLOW SCHOOL DISTRICTS TO PURCHASE THE MOST ECONOMICAL TYPE OF BUS FUEL FOR THE 2008-2009 AND 2009-2010 FISCAL YEARS.

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

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

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**COMMITTEE AMENDMENT ADOPTED, AMENDED  
READ THE SECOND TIME**

S. 232 -- Senators Ryberg, Hutto and Massey: A BILL TO AMEND SECTION 48-52-210 OF THE 1976 CODE, RELATING TO THE PLAN FOR THE STATE ENERGY POLICY, TO ENCOURAGE THE USE OF CLEAN ENERGY SOURCES; AND TO AMEND ARTICLE 2, CHAPTER 52, TITLE 48 BY ADDING SECTION 48-52-220 TO PROVIDE A DEFINITION FOR "RENEWABLE ENERGY RESOURCES".

The Senate proceeded to a consideration of the Bill, the question being the adoption of Amendment No. 1 (232R003.WGR) proposed by Senator RYBERG and previously printed in the Journal of March 3, 2009.

**Amendment No. P-1**

Senator RYBERG proposed the following Amendment No. P-1 (232R003.WGR):

Amend the Committee Amendment, as and if amended, page [232-1], by striking lines 37 - 42 and inserting:

/ SECTION \_\_\_\_\_. Section 48-52-420 of the 1976 Code is amended by adding at the end:

"(12) ensure that any future energy strategy that promotes carbon-free, non-greenhouse gas emitting sources includes nuclear energy, nuclear fuel reprocessing, renewable energy resources, and energy conservation and efficiency." /

Re-number sections to conform.

Amend title to conform.

Senator RYBERG explained the amendment.

Senator CAMPSEN asked unanimous consent to make a motion to perfect the amendment.

There was no objection and the amendment was perfected as follows:

**Amendment No. P1-A**

Senator RYBERG proposed the following Amendment No. P-1A (232R004.WGR), which was laid on the table:

Amend the Committee Amendment, as and if amended, page [232-1], by striking lines 37 - 42 and inserting:

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/ SECTION \_\_\_\_\_. Section 48-52-420 of the 1976 Code is amended by adding at the end:

“(12) ensure that any future energy strategy that promotes carbon-free, non-greenhouse gas emitting sources includes nuclear energy, nuclear fuel reprocessing of nuclear material currently located in the State, renewable energy resources, and energy conservation and efficiency.” /

Re-number sections to conform.

Amend title to conform.

Senator LEVENTIS spoke on the amendment.

Senator LEVENTIS moved to lay the amendment on the table.

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

**Ayes 23; Nays 20**

**AYES**

Anderson	Campsen	Cleary
Coleman	Courson	Cromer
Davis	Ford	Hayes
Knotts	Land	Leventis
Lourie	Malloy	Matthews
McGill	Nicholson	O'Dell
Pinckney	Reese	Scott
Thomas	Williams	

**Total--23**

**NAYS**

Alexander	Bright	Bryant
Campbell	Elliott	Fair
Hutto	Jackson	<i>Martin, L.</i>
<i>Martin, S.</i>	Massey	McConnell
Mulvaney	Peeler	Rankin
Rose	Ryberg	Setzler
Shoopman	Verdin	

**Total--20**

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The amendment was laid on the table.

The Committee on Agriculture and Natural Resources proposed the following amendment (232R001.DBV), which was adopted:

Amend the bill as and if amended, as and if amended, page 2 by striking lines 18-25, and inserting:

/ “Section 48-52-220. For the purposes of this chapter, ‘renewable energy resources’ means energy conservation and efficiency, solar photovoltaic energy, solar thermal energy, wind power, hydroelectric power, geothermal energy, tidal energy, wave energy, recycling, hydrogen fuel derived from renewable resources, biomass energy, energy derived from municipal and other solid waste, energy derived from waste oil, energy derived from waste tires, and landfill gas.”/

Amend the bill further as and if amended, page 2 by adding an appropriately numbered new SECTION that reads:

/ SECTION \_\_\_\_\_. Section 48-52-420 of the 1976 Code is amended by adding at the end:

“(12) ensure that any future energy strategy that promotes carbon-free, non-greenhouse gas emitting sources includes nuclear energy, renewable energy resources, and energy conservation and efficiency.”/

Re-number sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

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

**Ayes 41; Nays 0**

**AYES**

Alexander	Anderson	Bright
Bryant	Campbell	Campsen
Coleman	Courson	Cromer
Davis	Elliott	Fair
Ford	Hayes	Hutto
Jackson	Knotts	Land
Leatherman	Leventis	Lourie
Malloy	<i>Martin, L.</i>	<i>Martin, S.</i>
Massey	McConnell	McGill

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Mulvaney	Nicholson	Peeler
Pinckney	Rankin	Reese
Rose	Ryberg	Scott
Setzler	Shoopman	Thomas
Verdin	Williams	

**Total--41**

**NAYS**

**Total--0**

The committee amendment was adopted.

**Amendment No. 1**

Senators McCONNELL, VERDIN, ANDERSON, RANKIN, NICHOLSON, COLEMAN, HUTTO, ALEXANDER, KNOTTS proposed the following amendment (JUD0232.001), which was adopted:

Amend the bill, as and if amended, page 1 line 21, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 48-52-210 of the 1976 Code is amended to read:

“Section 48-52-210 (A) It is the policy of this State to have a comprehensive state energy plan that maximizes to the extent practical environmental quality and energy conservation and efficiency, and minimizes the cost of energy throughout the State. To implement this policy there is adopted the Plan for State Energy Policy.

(B) The purpose of the plan is to:

- (1) ensure access to energy supplies at the lowest practical environmental and economic cost;
- (2) ensure long-term access to adequate, reliable energy supplies;
- (3) ensure that demand-side options are pursued wherever economically and environmentally practical;
- (4) encourage the development and use of clean energy resources, including nuclear energy, energy conservation and efficiency, and indigenous, renewable energy resources;
- (5) ensure that basic energy needs of all citizens, including low income citizens, are met;

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(6) ensure that energy vulnerability to international events is minimized;

(7) ensure that energy-related decisions promote the economic and environmental well-being of the State and maximize the ability of South Carolina to attract retirees, tourists, and industrial and service-related jobs;

(8) ensure that short-term energy decisions do not conflict with long-range energy needs;

(9) ensure that internal governmental energy use patterns are consistent with the State's long-range interests;

(10) ensure that state government is organized appropriately to handle energy matters in the best public interest;

(11) ensure that governmental energy-related tax, expenditure, and regulatory policies are appropriate, and, wherever possible, maximize the long-range benefits of competition; and

(12) ensure that any future energy strategy that promotes carbon-free, non-greenhouse gas emitting sources includes nuclear energy, renewable resources, and energy conservation and efficiency."

Amend the bill further, as and if amended, page 2 by adding an appropriately numbered new SECTION that reads:

/ SECTION \_\_. Section 48-52-430 of the 1976 Code is amended to read:

"Section 48-52-430. The State Energy Office shall annually submit to the Governor and ~~Joint Legislative Committee on Energy~~ the Public Utility Review Committee a state energy action plan that includes, but is not limited to:

(a) activities by the State Energy Office to carry out the Plan for State Energy Policy;

(b) recommendations for long-term quantitative and qualitative energy goals for the residential, commercial, industrial, transportation, governmental, and utility sectors, and measures of progress for these goals;

(c) identification of obstacles to efficiency for which legislative, regulatory, or other governmental remedies are appropriate." /

Amend the bill further, as and if amended, page 2 by adding an appropriately numbered new SECTION that reads:

/ SECTION \_\_. Section 58-3-530 of the 1976 Code is amended to read:

"Section 58-3-530. The review committee has the following powers and duties:

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(1) to nominate:

(a) no more than three candidates for each seat on the Public Service Commission to be elected by the General Assembly. In order to be nominated, a candidate must be found qualified by meeting the requirements as provided in Sections 58-3-20 and 58-3-560;

(b) no more than one qualified candidate for the Governor to consider in appointing the Executive Director of the Office of Regulatory Staff. In order to be nominated, a candidate must be found qualified by meeting the minimum requirements as provided in Section 58-4-30. The review committee must give due consideration to a candidate's experience and expertise in matters related to public utilities. A person must not be appointed to serve as Executive Director of the Office of Regulatory Staff unless nominated by the review committee. If the Governor rejects a person nominated for the position of executive director by the review committee, the review committee must nominate another candidate for the Governor to consider, until the Governor makes an appointment;

(2) notwithstanding any other provision of law, to set the salary of the Executive Director of the Office of Regulatory Staff;

(3) to conduct an annual performance review of each member of the commission, which must be submitted to the General Assembly. A draft of the member's performance review must be submitted to the member, and the member must be allowed an opportunity to be heard before the review committee before the final draft of the performance review is submitted to the General Assembly. The final performance review must be made a part of the member's record for consideration if the member seeks reelection to the commission;

(4) to evaluate the actions of the commission, to the end that the members of the General Assembly may better judge whether these actions serve the best interests of the citizens of South Carolina, both individual and corporate;

(5) to develop and distribute to each party and its representatives appearing before the commission an anonymous and confidential survey evaluating the commissioners. At a minimum, the survey must include the following:

(a) knowledge and application of substantive utility issues; ability to perceive relevant issues;

(b) absence of influence by political considerations;

(c) absence of influence by identities of lawyers;

(d) absence of influence by identities of litigants;

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(e) courtesy to all persons appearing before the commission; and

(f) temperament and demeanor in general, preparation for hearings, and attentiveness during hearings;

(6) to submit to the General Assembly, on an annual basis, the review committee's evaluation of the performance of the commission. A proposed draft of the evaluation must be submitted to the commission prior to submission to the General Assembly, and the commission must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly;

(7) to conduct an annual performance review of the Executive Director of the Office of Regulatory Staff, which must be submitted to the General Assembly. A draft of the executive director's performance review must be submitted to the executive director, and the executive director must be allowed an opportunity to be heard before the review committee before the final draft of the performance review is submitted to the General Assembly;

(8) to submit to the General Assembly, on an annual basis, the review committee's evaluation of the performance of the Office of Regulatory Staff. A proposed draft of the evaluation must be submitted to the Office of Regulatory Staff prior to submission to the General Assembly, and the Office of Regulatory Staff must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly;

(9) to assist in developing an annual workshop of at least six contact hours concerning ethics and the Administrative Procedures Act for the commissioners and employees of the Public Service Commission and the executive director and employees of the Office of Regulatory Staff;

(10) to make reports and recommendations to the General Assembly on matters relating to the powers and duties set forth in this section;

(11) to submit a letter with the annual budget proposals of the Office of Regulatory Staff and the Public Service Commission, indicating the review committee has reviewed and approved the proposals;

(12) to appoint a committee from the general public at large to advise the review committee on any of its powers and duties. Members must not be members of the General Assembly, members or employees of the Public Service Commission, or the executive director or employees of the Office of Regulatory Staff; ~~and~~

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(13) to undertake such additional studies or evaluations as the review committee considers necessary;

(14) to review candidates for appointment to the South Carolina Public Service Authority Board of Directors as submitted by the Governor to determine whether the candidates meet the qualifications set forth in Section 58-31-20; and

(15) to submit to the General Assembly, on an annual basis, a review of the state energy action plan of the State Energy Office as required by Section 48-52-430. /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

**Amendment No. 2A**

Senator VERDIN proposed the following Amendment No. 2A (JUD0232.003), which was adopted:

Amend the bill, as and if amended, page 1 line 21, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 48-52-210 of the 1976 Code is amended to read:

“Section 48-52-210 (A) It is the policy of this State to have a comprehensive state energy plan that maximizes to the extent practical environmental quality and energy conservation and efficiency, and minimizes the cost of energy throughout the State. To implement this policy there is adopted the Plan for State Energy Policy.

(B) The purpose of the plan is to:

(1) ensure access to energy supplies at the lowest practical environmental and economic cost;

(2) ensure long-term access to adequate, reliable energy supplies;

(3) ensure that demand-side options are pursued wherever economically and environmentally practical;

(4) encourage the development and use of clean energy resources, including nuclear energy, energy conservation and efficiency, and indigenous, renewable energy resources;

(5) ensure that basic energy needs of all citizens, including low income citizens, are met;

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(6) ensure that energy vulnerability to international events is minimized;

(7) ensure that energy-related decisions promote the economic and environmental well-being of the State and maximize the ability of South Carolina to attract retirees, tourists, and industrial and service-related jobs;

(8) ensure that short-term energy decisions do not conflict with long-range energy needs;

(9) ensure that internal governmental energy use patterns are consistent with the State's long-range interests;

(10) ensure that state government is organized appropriately to handle energy matters in the best public interest;

(11) ensure that governmental energy-related tax, expenditure, and regulatory policies are appropriate, and, wherever possible, maximize the long-range benefits of competition; and

(12) ensure that any future energy strategy that promotes carbon-free, non-greenhouse gas emitting sources includes nuclear energy, renewable resources, and energy conservation and efficiency."

Amend the bill further, as and if amended, page 2 by adding an appropriately numbered new SECTION that reads:

/ SECTION \_\_. Section 48-52-430 of the 1976 Code is amended to read:

"Section 48-52-430. The State Energy Office shall annually submit to the Governor and ~~Joint Legislative Committee on Energy~~ the Public Utility Review Committee, the House Labor, Commerce and Industry Committee and the Senate Agriculture and Natural Resources Committee a state energy action plan that includes, but is not limited to:

(a) activities by the State Energy Office to carry out the Plan for State Energy Policy;

(b) recommendations for long-term quantitative and qualitative energy goals for the residential, commercial, industrial, transportation, governmental, and utility sectors, and measures of progress for these goals;

(c) identification of obstacles to efficiency for which legislative, regulatory, or other governmental remedies are appropriate." /

Amend the bill further, as and if amended, page 2 by adding an appropriately numbered new SECTION that reads:

/ SECTION \_\_. Section 58-3-530 of the 1976 Code is amended to read:

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“Section 58-3-530. The review committee has the following powers and duties:

(1) to nominate:

(a) no more than three candidates for each seat on the Public Service Commission to be elected by the General Assembly. In order to be nominated, a candidate must be found qualified by meeting the requirements as provided in Sections 58-3-20 and 58-3-560;

(b) no more than one qualified candidate for the Governor to consider in appointing the Executive Director of the Office of Regulatory Staff. In order to be nominated, a candidate must be found qualified by meeting the minimum requirements as provided in Section 58-4-30. The review committee must give due consideration to a candidate’s experience and expertise in matters related to public utilities. A person must not be appointed to serve as Executive Director of the Office of Regulatory Staff unless nominated by the review committee. If the Governor rejects a person nominated for the position of executive director by the review committee, the review committee must nominate another candidate for the Governor to consider, until the Governor makes an appointment;

(2) notwithstanding any other provision of law, to set the salary of the Executive Director of the Office of Regulatory Staff;

(3) to conduct an annual performance review of each member of the commission, which must be submitted to the General Assembly. A draft of the member’s performance review must be submitted to the member, and the member must be allowed an opportunity to be heard before the review committee before the final draft of the performance review is submitted to the General Assembly. The final performance review must be made a part of the member’s record for consideration if the member seeks reelection to the commission;

(4) to evaluate the actions of the commission, to the end that the members of the General Assembly may better judge whether these actions serve the best interests of the citizens of South Carolina, both individual and corporate;

(5) to develop and distribute to each party and its representatives appearing before the commission an anonymous and confidential survey evaluating the commissioners. At a minimum, the survey must include the following:

(a) knowledge and application of substantive utility issues; ability to perceive relevant issues;

(b) absence of influence by political considerations;

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- (c) absence of influence by identities of lawyers;
  - (d) absence of influence by identities of litigants;
  - (e) courtesy to all persons appearing before the commission; and
  - (f) temperament and demeanor in general, preparation for hearings, and attentiveness during hearings;
- (6) to submit to the General Assembly, on an annual basis, the review committee's evaluation of the performance of the commission. A proposed draft of the evaluation must be submitted to the commission prior to submission to the General Assembly, and the commission must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly;
- (7) to conduct an annual performance review of the Executive Director of the Office of Regulatory Staff, which must be submitted to the General Assembly. A draft of the executive director's performance review must be submitted to the executive director, and the executive director must be allowed an opportunity to be heard before the review committee before the final draft of the performance review is submitted to the General Assembly;
- (8) to submit to the General Assembly, on an annual basis, the review committee's evaluation of the performance of the Office of Regulatory Staff. A proposed draft of the evaluation must be submitted to the Office of Regulatory Staff prior to submission to the General Assembly, and the Office of Regulatory Staff must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly;
- (9) to assist in developing an annual workshop of at least six contact hours concerning ethics and the Administrative Procedures Act for the commissioners and employees of the Public Service Commission and the executive director and employees of the Office of Regulatory Staff;
- (10) to make reports and recommendations to the General Assembly on matters relating to the powers and duties set forth in this section;
- (11) to submit a letter with the annual budget proposals of the Office of Regulatory Staff and the Public Service Commission, indicating the review committee has reviewed and approved the proposals;
- (12) to appoint a committee from the general public at large to advise the review committee on any of its powers and duties. Members must not be members of the General Assembly, members or employees of

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the Public Service Commission, or the executive director or employees of the Office of Regulatory Staff; ~~and~~

(13) to undertake such additional studies or evaluations as the review committee considers necessary; ~~and~~

(14) to review candidates for appointment to the South Carolina Public Service Authority Board of Directors as submitted by the Governor to determine whether the candidates meet the qualifications set forth in Section 58-31-20; and

(15) to submit to the General Assembly, on an annual basis, a review of the state energy action plan of the State Energy Office as required by Section 48-52-430." /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question then was the second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Alexander	Anderson	Bright
Bryant	Campbell	Campsen
Cleary	Coleman	Courson
Cromer	Davis	Elliott
Fair	Ford	Hayes
Hutto	Jackson	Knotts
Land	Leventis	Lourie
Malloy	<i>Martin, L.</i>	<i>Martin, S.</i>
Massey	Matthews	McConnell
McGill	Mulvaney	Nicholson
Peeler	Pinckney	Rankin
Reese	Rose	Ryberg
Scott	Setzler	Shoopman
Thomas	Verdin	Williams

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**Total--42**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**OBJECTION**

S. 537 -- Senator Setzler: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY STUDENTS RESIDING IN SCHOOL DISTRICTS THAT CLOSED DUE TO SNOW ON MARCH 2, 2009, IS WAIVED FOR STUDENTS IN LEXINGTON SCHOOL DISTRICTS ONE, TWO, THREE, AND FOUR.

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

Senator HUTTO objected.

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2008, and to expire July 1, 2012

At-Large/Chairman:

Kenneth B. Wingate, 4936 Hillside Road, Columbia, SC 29206  
*VICE* Layton McCurdy

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2008, and to expire July 1, 2011

SC School Board Association:

Kathleen M. Bounds, 1104 Hollybrooke Dr., Moncks Corner, SC 29461  
*VICE* Anne W. Thayer

Having received a favorable report from the Judiciary Committee, the following appointments were confirmed in open session:

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Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2008, and to expire June 30, 2012

3<sup>rd</sup> Congressional District

Carolyn J. Pinson-Payton, 166 Payton Road, Belton, SC 29627

Reappointment, State Human Affairs Commission, with the term to commence June 30, 2008, and to expire June 30, 2011

2nd Congressional District:

Joe F. Fragale, 2 Crowell Court, Bluffton, SC 29910

Reappointment, South Carolina State Ethics Commission, with the term to commence June 30, 2008, and to expire June 30, 2013

6th Congressional District:

Priscilla L. Tanner, P. O. Box 85, Johnsonville, SC 29555

Reappointment, State Human Affairs Commission, with the term to commence June 30, 2008, and to expire June 30, 2011

1st Congressional District:

Cheryl F. C. Ludlam, 134 Hidden Fawn Circle, Goose Creek, SC 29445

Initial Appointment, South Carolina State Ethics Commission, with the term to commence June 30, 2008, and to expire June 30, 2013

5th Congressional District:

Jonathan H. Burnett, 2800 Cypress Bend Road, Florence, SC 29506  
*VICE* Robert Bruce

Initial Appointment, Commission on Women, with the term to commence October 18, 2008, and to expire October 18, 2009

4th Congressional District:

Laura L. Ringo, 251 West Hampton Ave., Spartanburg, SC 29306

Initial Appointment, Commission on Women, with the term to commence October 18, 2008, and to expire October 18, 2012

5th Congressional District:

Sheri L. Few, 998 Guion Dr., Lugoff, SC 29078

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Reappointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2009, and to expire June 30, 2012

4th Congressional District:

Willie Albert Thompson, WMUU, 920 Wade Hampton Blvd., Greenville, SC 29609

Initial Appointment, Commission on Women, with the term to commence October 18, 2008, and to expire October 18, 2012

3rd Congressional District:

Kathryn Wade, 1010 Hayne Ave. SW, Aiken, SC 29801

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2009, and to expire June 30, 2013

5th Congressional District:

Samuel Cerezo, 1490 Shiver Pond Road, Camden, SC 29020

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2006, and to expire June 30, 2010

4th Congressional District:

Monica G. Hill, 112 Lake Bowen Dr., Inman, SC 29349 *VICE*  
Dorothy Bailey

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointments were confirmed in open session:

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2008, and to expire May 31, 2011

Financial:

Andrew S. Johnson, 889 Fieldgate Circle, Pawleys Island, SC 29585

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2008, and to expire June 30, 2012

4th Congressional District:

Hal Dillard, H. Dillard Co., 108 Sugar Mill Road, Greer, SC 29650  
*VICE* Gale Crawford

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Reappointment, Jobs Economic Development Authority, with the term to commence July 27, 2008, and to expire July 28, 2011

3rd Congressional District:

John R. Hamrick, John Hamrick Real Estate, 896 North Walnut Street, Seneca, SC 29678

Having received a favorable report from the Medical Affairs Committee, the following appointments were confirmed in open session:

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2007, and to expire April 1, 2011

Low Country - Recipient/Donor/Family:

Debra A. Yasenka, 243 Belfair Oaks Blvd., Bluffton, SC 29910  
*VICE* Marilyn J. Armstrong

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2007, and to expire December 31, 2011

3rd Congressional District:

C. Lynn Lewis, Ed.D.,R.N., Tri-County Technical College, 7900 Highway 76, P. O. Box 587, Pendleton, SC 29670

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2008, and to expire September 30, 2011

Public:

David P. Putman, 1139 Bethcar Church Road, Wagner, SC 29164  
*VICE* Marshall Mitchell

Having received a favorable report from the Transportation Committee, the following appointments were confirmed in open session:

Reappointment, Maritime Security Commission, with the term to commence July 31, 2007, and to expire July 31, 2011

Commercial Maritime Community:

Thomas D. Eason, Eason Diving & Marine Constructors, Inc. P. O. Box 70040, Charleston, SC 29415

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Reappointment, Maritime Security Commission, with the term to commence July 31, 2005, and to expire July 31, 2011

Coast Guard Officer - retired:

Marvin J. Pontiff USCG, Mediterranean Shipping Co. (USA), 550 Long Point Road, Mt. Pleasant, SC 29464

Reappointment, Maritime Security Commission, with the term to commence July 31, 2007, and to expire July 31, 2011

Naval Officer - Retired:

James H. Flatley, III, 488 Rice Hope Drive, Mount Pleasant, SC 29464

Senator L. MARTIN moved that the Senate stand adjourned.

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

**Ayes 35; Nays 7**

**AYES**

Alexander	Anderson	Campbell
Campsen	Cleary	Coleman
Courson	Cromer	Elliott
Fair	Hayes	Hutto
Jackson	Knotts	Land
Leatherman	Leventis	Lourie
Malloy	<i>Martin, L.</i>	Massey
Matthews	McConnell	McGill
Nicholson	Peeler	Pinckney
Rankin	Reese	Rose
Ryberg	Scott	Setzler
Verdin	Williams	

**Total--35**

**NAYS**

Bright	Bryant	Davis
<i>Martin, S.</i>	Mulvaney	Shoopman
Thomas		

**Total--7**

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**ADJOURNMENT**

At 5:10 P.M., on motion of Senator L. MARTIN, the Senate adjourned to meet tomorrow at 2:00 P.M.

\* \* \*

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