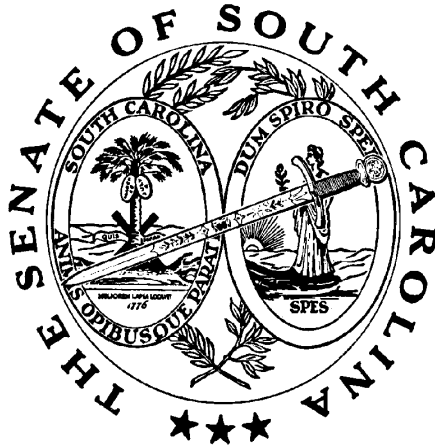


NO. 43

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



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

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**THURSDAY, APRIL 2, 2009**

**Thursday, April 2, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

The Psalmist writes:

“Let everything that breathes praise the Lord! Praise the Lord!”

(Psalm 150:6)

Let us pray:

Dear Lord, in spite of everything else that swirls around us, there is so much for which every one of us needs to praise You. For this land we love so greatly; for these conscientious and caring Senators and their diligent and dedicated staff members; for all of our other leaders in this State and in this Nation: bless them all. Indeed, O God, bestow Your grace upon every individual who strives to honor You and serve You. Moreover, embrace in Your mercy and love all of our women and men who defend our freedoms, wherever they serve. In Your name we pray, Lord.

Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2007, and to expire April 30, 2011

David J. Turner, 180 Magnolia Street, Spartanburg, SC 29306

Reappointment, Calhoun County Master-in-Equity, with the term to commence August 14, 2009, and to expire August 14, 2015

Martin R. Banks, 312 Tamwood Circle, Cayce, SC 29033

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Reappointment, Saluda County Magistrate, with the term to commence April 30, 2006, and to expire April 30, 2010

D. Bruce Horne, 378 Butler Rd., Saluda, SC 29138

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

Donnie B. Blackley, 180 Magnolia St., Spartanburg, SC 29306

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

Daniel R. Burns, 1645 Caldwell Rd., Campobello, SC 29322

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

Vicki Rae M. Smith, 110 Main Street, Woodruff, SC 29388-0217

**Doctor of the Day**

Senator McCONNELL introduced Dr. John Raymond of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

At 12:15 P.M., Senator KNOTTS requested a leave of absence until 3:00 P.M.

**CO-SPONSORS ADDED**

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

S. 667 Sen. Mulvaney  
S. 618 Sen. O'Dell  
S. 576 Sen. Ford  
S. 453 Sen. Ford

**RECALLED**

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.

**THURSDAY, APRIL 2, 2009**

Senator LEVENTIS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Agriculture and Natural Resources.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 675 -- Senator Ryberg: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD WEEK IN APRIL 2009 AS "SHAKEN BABY SYNDROME AWARENESS WEEK" TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

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On motion of Senator RYBERG, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 676 -- Senators McConnell, Ford and Knotts: A CONCURRENT RESOLUTION TO FIX NOON WEDNESDAY, MAY 20, 2009, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 4, WHOSE TERM EXPIRES DECEMBER 31, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JULY 31, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JULY 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2013; TO

**THURSDAY, APRIL 2, 2009**

ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERMS EXPIRES JULY 31, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2014; TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2014; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2013.

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

S. 677 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND ENCOURAGE THE USE OF FOREST BIOMASS FOR ENERGY PRODUCTS AS SOUTH CAROLINA'S MOST ABUNDANT SOURCE OF RENEWABLE ENERGY, AND TO URGE THE UNITED STATES CONGRESS TO TAKE ACTION TO CORRECT THE RESTRICTIVE AND INTRUSIVE DEFINITION OF RENEWABLE BIOMASS IN THE ENERGY INDEPENDENCE AND SECURITY ACT OF 2007 AND TO PREVENT ADDITIONAL FEDERAL ACTIONS THAT WOULD ELIMINATE FOREST PRODUCT MARKETS FOR FOREST LANDOWNERS BY DEFINING "RENEWABLE BIOMASS" IN A RESTRICTIVE MANNER.

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Senator CROMER spoke on the Resolution.

The Senate Resolution was adopted.

S. 678 -- Senator Peeler: A BILL TO AMEND ACT 959 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE YORK COUNTY NATURAL GAS AUTHORITY, SO AS TO INCREASE ITS POWERS TO ALLOW, AMONG OTHER THINGS, THE ACQUISITION OF THE TOWN OF BLACKSBURG'S NATURAL GAS SYSTEM AND TO CHANGE REFERENCES FROM THE SOUTH CAROLINA PIPELINE COMPANY TO THE CAROLINA GAS TRANSMISSION CORPORATION.

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[SJ]

**THURSDAY, APRIL 2, 2009**

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

S. 679 -- Senator Fair: A BILL TO AMEND SECTION 59-40-115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMINATION OF A CHARTER SCHOOL CONTRACT WITH A SPONSOR, SO AS TO PROVIDE THAT A CHARTER SCHOOL MAY TRANSFER ITS SPONSORSHIP FROM THE LOCAL SCHOOL DISTRICT TO THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT OR FROM THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT TO THE LOCAL SCHOOL DISTRICT UPON A MUTUAL WRITTEN AGREEMENT AMONG THE CHARTER SCHOOL, THE LOCAL SCHOOL DISTRICT, AND THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT.

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

S. 680 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT ACT OF 2009.

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

S. 681 -- Senators Setzler and O'Dell: A BILL TO AMEND SECTION 9-20-30 OF THE 1976 CODE, RELATING TO THE STATE OPTIONAL RETIREMENT PROGRAM, TO PROVIDE THAT THE DIRECTOR ACTING ON BEHALF OF THE SOUTH CAROLINA RETIREMENT SYSTEM SHALL DESIGNATE NO MORE THAN TWO COMPANIES TO PROVIDE ANNUITY CONTRACTS, MUTUAL FUND ACCOUNTS, OR SIMILAR INVESTMENT PRODUCTS.

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

S. 682 -- Senator Courson: A SENATE RESOLUTION TO DECLARE TUESDAY, APRIL 21, 2009, AS "SOUTH CAROLINA RECYCLERS DAY" AND TO COMMEND AND RECOGNIZE SOUTH CAROLINA'S RECYCLERS FOR THEIR

[SJ]

**THURSDAY, APRIL 2, 2009**

CONTRIBUTIONS TO OUR STATE'S ECONOMY AND FOR THEIR EFFORTS TO PROTECT THE ENVIRONMENT AND PROMOTE ENERGY EFFICIENCY.

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

S. 683 -- Senator Bryant: A SENATE RESOLUTION TO ALLOW THE STUDENTS, STAFF, AND SPONSORS OF TEENPACT TO USE THE SENATE CHAMBER ON FRIDAY, MAY 1, 2009, FROM 12:00 NOON UNTIL 4:00 P.M., FOR TEENPACT STUDENTS TO CONDUCT THEIR ANNUAL MEETING.

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On motion of Senator BRYANT, with unanimous consent, the Senate Resolution was introduced and ordered placed on the Calendar without reference.

#### **REPORTS OF STANDING COMMITTEES**

Senator McCONNELL from the Committee on Judiciary polled out S. 196 favorable with amendment:

S. 196 -- Senator McConnell: A BILL TO AMEND CHAPTER 3, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIVIL ACTIONS, SO AS TO LIMIT LIABILITY FOR CERTAIN LIQUEFIED PETROLEUM GAS PROVIDERS FOR INJURIES OR DAMAGES PROXIMATELY CAUSED BY ALTERATIONS, MODIFICATIONS, OR REPAIRS OF LIQUEFIED PETROLEUM GAS EQUIPMENT THE LIQUEFIED PETROLEUM GAS PROVIDER COULD NOT HAVE DISCOVERED, OR WHEN LIQUEFIED PETROLEUM GAS EQUIPMENT IS USED IN A MANNER OR FOR A PURPOSE OTHER THAN THAT WHICH THE EQUIPMENT WAS INTENDED TO BE USED, OR COULD REASONABLY HAVE BEEN FORESEEN TO BE USED FOR, AND TO PROVIDE AN EFFECTIVE DATE.

#### **Poll of the Judiciary Committee**

**Polled 23; Ayes 22; Nays 1; Not Voting 0**

#### **AYES**

McConnell  
Rankin

Ford  
Hutto

Martin  
Knotts

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Malloy  
Lourie  
Massey  
Davis  
Nicholson  
Shoopman

Sheheen  
Williams  
Bright  
Martin  
Rose

Cleary  
Campbell  
Coleman  
Mulvaney  
Scott

**Total--1**

**NAYS**

Campsen

**Total--21**

**NOT VOTING**

**Total--0**

Ordered for consideration tomorrow.

Senator McCONNELL from the Committee on Judiciary polled out H. 3299 favorable with amendment:

H. 3299 -- Reprs. Sandifer, Harrell, Cato, Thompson, Bedingfield, Bingham, Brady, Gambrell, Harrison, Jennings, Mack, Mitchell, Cooper, Crawford, Alexander, Allison, Anthony, Bales, Bannister, Barfield, Bowers, G.A. Brown, Clemmons, Cobb-Hunter, Duncan, Gullick, Haley, Hayes, Herbkersman, Howard, Huggins, Limehouse, Littlejohn, Lowe, Miller, Ott, Owens, Pinson, M.A. Pitts, J.R. Smith, J.E. Smith, Spires, Toole, Umphlett, White, Whitmire, Anderson, A.D. Young, T.R. Young, Forrester, H.B. Brown, Weeks, Horne, Parker, Skelton, Wylie and Frye: A BILL TO AMEND SECTION 58-9-576, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTION BY AND DUTIES OF THE LOCAL EXCHANGE CARRIER AND ALTERNATIVE FORMS OF REGULATION, SO AS TO ENACT THE "CUSTOMER CHOICE AND TECHNOLOGY INVESTMENT ACT OF 2009".

**Poll of the Judiciary Committee  
Polled 23; Ayes 20; Nays 0; Not Voting 3**

**AYES**

McConnell

Ford

Martin

[SJ]

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Rankin	Hutto	Knotts
Sheheen	Campsen	Cleary
Williams	Campbell	Bright
Coleman	Davis	Martin
Mulvaney	Nicholson	Rose
Scott	Shoopman	

**Total--20**

**NAYS**

**Total--0**

**NOT VOTING**

Malloy	Lourie	Massey
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**Total--3**

Ordered for consideration tomorrow.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill and Joint Resolution were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3649 -- Reps. Hiott, Rice, Skelton and Owens: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF THE SCHOOL DISTRICT OF PICKENS COUNTY 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.

By prior motion of Senator L. MARTIN, with unanimous consent.

H. 3428 -- Reps. Harrell, Cooper and Ott: A BILL TO AMEND SECTION 2-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976,

[SJ]

**THURSDAY, APRIL 2, 2009**

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 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.

**H. 3428--Recorded Vote**

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the third reading of H. 3428.

**HOUSE BILLS RETURNED**

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

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**THURSDAY, APRIL 2, 2009**

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.

**H. 3378--Recorded Vote**

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the third reading of H. 3378.

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.

**H. 3627--Recorded Vote**

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the third reading of H. 3627.

**THIRD READING BILLS**

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

S. 239 -- Senators Massey, Rose and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-7-67 ENACTING THE "APPROPRIATIONS BILL EARMARK DISCLOSURE ACT", TO PROVIDE FOR THE DISCLOSURE OF INFORMATION SURROUNDING EARMARKS REQUESTED BY MEMBERS OF THE GENERAL ASSEMBLY FOR INCLUSION IN AN APPROPRIATIONS BILL, TO PROVIDE DEFINITIONS APPLICABLE FOR THIS DISCLOSURE, AND TO

**THURSDAY, APRIL 2, 2009**

PROVIDE FOR THE ENFORCEMENT OF THESE DISCLOSURE REQUIREMENTS.

**S. 239--Recorded Vote**

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the third reading of S. 239.

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.

**S. 643--Recorded Vote**

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the third reading of S. 643.

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.

**S. 654--Recorded Vote**

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the third reading of S. 654.

[SJ]

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**SECOND READING BILLS**

The following Bill and Joint Resolution, having been read the second time, were ordered placed on the Third Reading Calendar:

S. 540 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY STUDENTS ATTENDING OCONEE COUNTY SCHOOLS ON MARCH 2, 2009, 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.

H. 3380 -- Rep. Funderburk: A BILL TO AMEND SECTION 7-7-340, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN KERSHAW COUNTY, SO AS TO REDESIGNATE A MAP NUMBER ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3121 -- Reps. J.E. Smith, E.H. Pitts, T.R. Young, Hutto, M.A. Pitts, Allison and Parker: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-15-75 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO REMOVE, OR ATTEMPT TO REMOVE, FROM THIS STATE MORE THAN TEN TURTLES OF CERTAIN NAMED SPECIES, TO PROVIDE EXCEPTIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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 (3121R001.RWC), which was adopted:

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

**THURSDAY, APRIL 2, 2009**

/ SECTION 1. Chapter 15, Title 50 of the 1976 Code is amended by adding:

“Section 50-15-75. (A) It is unlawful for a person, or a group of individuals traveling in one vehicle, to remove, or attempt to remove from this State more than ten, either in one species or a combination of species, of the named species of turtles at one time with a maximum of twenty turtles of these species, either individually or in combination in any one year: yellowbelly turtle (*Trachemys scripta*), Florida cooter (*Pseudemys floridana*), river cooter (*Pseudemys concinna*), chicken turtle (*Deirochelys reticularia*), eastern box turtle (*Terrapene carolina*), eastern painted turtle (*Chrysemys picta*), spiny softshell turtle (*Apalone spinifera*), Florida softshell turtle (*Apalone ferox*), and common snapping turtle (*Chelydra serpentina*).

(B) The provisions of this section do not prohibit the sale, offer for sale, or purchase of the yellowbelly turtle (*Trachemys scripta*) species and the common snapping turtle (*Chelydra serpentina*) species if these turtles were taken from a permitted aquaculture facility or a private pond pursuant to a permit issued by the department at the request of the owner or owner’s agent. Any person transporting more than ten yellowbelly turtle (*Trachemys scripta*) species or common snapping turtle (*Chelydra serpentina*) species must be in possession of a permit pursuant to which the turtles were taken or acquired and, upon request, must provide it to authorized agents of the department. A person selling, offering to sell, or purchasing these species must have documentation from the aquaculture facility as to the origin of the turtles. The department may charge twenty-five dollars for a permit.

(C) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of up to two hundred dollars or up to thirty days in jail, or both. A violator must also have his permit permanently revoked and may never be issued another one. Each turtle removed or in possession of a person attempting to remove them is a separate violation of this section.”

SECTION 2. This act takes effect upon approval by the Governor./  
Amend title to conform.

Senator CROMER explained the committee amendment.

The committee amendment was adopted.

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

**ADOPTED**

S. 659 -- Senators Knotts, Alexander, Rose, S. Martin, Elliott, McConnell, Williams, Malloy, Peeler, Leatherman, Grooms, Campbell, Cromer, Cleary, Scott, Shoopman, Bryant, Ryberg, Bright, Davis, Setzler and Ford: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 29, 2009, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR COASTAL CAROLINA UNIVERSITY, COLLEGE OF CHARLESTON, SOUTH CAROLINA STATE UNIVERSITY, WIL LOU GRAY OPPORTUNITY SCHOOL, AND WINTHROP UNIVERSITY TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE IN 2009, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION. IMMEDIATELY FOLLOWING ELECTION OF BOARDS OF TRUSTEE MEMBERS, THE HOUSE OF REPRESENTATIVES AND THE SENATE SHALL ELECT ONE MEMBER-AT-LARGE TO THE OLD EXCHANGE BUILDING COMMISSION TO SUCCEED THE MEMBER WHOSE TERM IS EXPIRING.

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

**COMMITTEE AMENDMENT ADOPTED, AMENDED**

**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.

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

Senator L. MARTIN explained the Resolution.

The Committee on Judiciary proposed the following amendment (JUD0424.002), which was adopted:

Amend the concurrent resolution, as and if amended, page 2, by striking lines 7 through 17 in their entirety and inserting the following:

/ Be it further resolved that all federal governmental agencies, quasi-governmental agencies, and their agents and employees operating within the geographic boundaries of the State of South Carolina, and all federal governmental agencies and their agents and employees, whose actions have effect on the inhabitants or lands or waters of the State of South Carolina, shall operate within the confines of the original intent of the Constitution of the United States or be subject to penalty of law as provided for now or in the future, within the Constitution of South Carolina, the South Carolina statutes, or the common law as guaranteed by the Constitution of the United States. /

Re-number sections to conform.

Amend title to conform.

Senator L. MARTIN explained the committee amendment.

The committee amendment was adopted.

Senator SHEHEEN spoke on the Resolution.

Senator BRIGHT spoke on the Resolution.

**Amendment No. 1**

Senator HUTTO proposed the following Amendment No. 1 (424R001.CBH), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 13 - 17 and inserting:

/ confines of the original intent of the Constitution of the United States and abide by the provisions of the Constitution of South Carolina, the South Carolina statutes, or the common law as guaranteed by the Constitution of the United States. /

Re-number sections to conform.

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Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

**Point of Quorum**

At 12:38 P.M., Senator WILLIAMS made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

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

A quorum being present, the Senate resumed.

Senator LEVENTIS spoke on the Resolution.

Senator MATTHEWS objected to further consideration of the Resolution.

**AMENDMENT TABLED, 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"

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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.

Senator JACKSON asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment and printed in the Journal of March 26, 2009.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

**Recorded Vote**

Senators RYBERG and BRYANT desired to be recorded as voting against the motion to table.

On motion of Senator SHOOPMAN, with unanimous consent, the Bill was carried over.

**MOTION ADOPTED**

Senator McCONNELL moved that when the Senate stands adjourned today, the Senate would stand adjourned to meet on Friday, April 3, 2009, under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up; and, further,

pursuant to the provisions of Article III, Section 9, of the S. C. Constitution and the Rules of the Senate, that, when the Senate adjourns on Friday, April 3, 2009, the Senate would stand in recess for the week of April 7-10, 2009; and further,

when the Senate adjourns on Friday, April 3, 2009, the Senate would stand adjourned to meet in Statewide Session on Tuesday, April 14, 2009, at 12:00 Noon.

There was no objection and the motion was adopted.

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**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 02, 2009, at 12:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R7, S. 289) -- Senator L. Martin: A JOINT RESOLUTION TO ALLOW THE CRIMINAL DOMESTIC VIOLENCE STUDY COMMITTEE, AS ESTABLISHED BY ACT 402 OF 2008, ADDITIONAL TIME TO REVIEW THE CRIMINAL DOMESTIC VIOLENCE LAWS OF THE STATE AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY CONCERNING ANY PROPOSED CHANGES.

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(R8, S. 432) -- Senators Malloy, Knotts and Campsen: A JOINT RESOLUTION TO EXTEND THE TIME IN WHICH THE SENTENCING REFORM COMMISSION, AS ESTABLISHED BY ACT 407 OF 2008, SHALL SUBMIT ITS REPORT TO THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE FROM JUNE 1, 2009, TO FEBRUARY 1, 2010, AT WHICH TIME THE COMMISSION SHALL BE DISSOLVED.

L:\COUNCIL\ACTS\432AHB09.DOCX

(R9, S. 449) -- Senator Fair: AN ACT TO CHANGE THE NAME OF THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY TO RENEWABLE WATER RESOURCES.

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(R10, S. 473) -- Senator Leventis: AN ACT TO AMEND ACT 387 OF 2008, RELATING TO THE SUMTER COUNTY CONSOLIDATED SCHOOL DISTRICT, SO AS TO PROVIDE THAT A MEMBER OF THE SUMTER CONSOLIDATION TRANSITION COMMITTEE WHO HAS BEEN DISMISSED, SUSPENDED FROM HIS POSITION, OR DEMOTED, OR FORCED TO ACCEPT A CHANGE IN THE TERMS AND CONDITIONS AT HIS CURRENT EMPLOYMENT, OR RECEIVES ANY DIRECT OR INDIRECT THREATS IN CONNECTION WITH HIS DECISIONS OR ACTIONS ON BEHALF OF THE COMMITTEE MAY INSTITUTE A NONJURY CIVIL ACTION AGAINST SUMTER

[SJ]

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SCHOOL DISTRICT 2 OR SUMTER SCHOOL DISTRICT 17 OR  
THEIR SUCCESSORS FOR CERTAIN DAMAGES.  
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(R11, S. 483) -- Senators Rankin, Cleary, McGill and Elliott: AN  
ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,  
1976, BY ADDING ARTICLE 9 TO CHAPTER 10, TITLE 4  
ENACTING THE "LOCAL OPTION TOURISM DEVELOPMENT  
FEE ACT" SO AS TO ALLOW A MUNICIPALITY LOCATED IN A  
COUNTY IN WHICH AT LEAST FOURTEEN MILLION  
DOLLARS OF STATE ACCOMMODATIONS TAX REVENUES  
HAVE BEEN COLLECTED IN A FISCAL YEAR TO IMPOSE A  
FEE NOT TO EXCEED ONE PERCENT OF AMOUNTS SUBJECT  
TO TAX PURSUANT TO CHAPTER 36, TITLE 12, THE SOUTH  
CAROLINA SALES AND USE TAX ACT, FOR NOT MORE THAN  
TEN YEARS, TO PROVIDE THAT THE MUNICIPALITY MAY  
IMPOSE THE FEE BY ORDINANCE OR BY REFERENDUM IN  
THE MUNICIPALITY, TO PROVIDE FOR THE  
ADMINISTRATION OF THE FEE, AND TO PROVIDE USES FOR  
WHICH THE FEE REVENUE MUST BE APPLIED, INCLUDING  
TOURISM PROMOTION, PROPERTY TAX ROLLBACK, AND  
CAPITAL PROJECTS PROMOTING TOURISM CAUSES.  
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(R12, S. 588) -- Senators Peeler, Setzler, Hayes and Matthews: A  
JOINT RESOLUTION TO EXTEND THE DATE BY WHICH A  
SCHOOL DISTRICT MUST DECIDE WHETHER TO EMPLOY A  
TEACHER FOR THE 2009-2010 SCHOOL YEAR FROM APRIL  
FIFTEENTH TO MAY FIFTEENTH, TO PROVIDE THAT A  
TEACHER HAS TEN DAYS FOLLOWING RECEIPT OF  
WRITTEN NOTIFICATION OF AN OFFER TO ACCEPT THE  
CONTRACT, AND TO PROVIDE THAT A SCHOOL DISTRICT  
MAY UNIFORMLY NEGOTIATE SALARIES BELOW THE  
SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2009-2010  
SCHOOL YEAR FOR RETIRED TEACHERS WHO ARE NOT  
PARTICIPANTS IN THE TEACHER AND EMPLOYEE  
RETENTION INCENTIVE PROGRAM.  
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(R13, H. 3295) -- Reps. Hamilton, Allen, Bedingfield, Cato, Dillard, Nanney, Stringer and Wylie: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON JANUARY 8, 2009, BY THE STUDENTS OF PARIS ELEMENTARY SCHOOL, TAYLORS ELEMENTARY SCHOOL, AND SEVIER MIDDLE SCHOOL WHEN THE SCHOOLS WERE CLOSED DUE TO A POWER OUTAGE 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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(R14, H. 3352) -- Reps. 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 CERTAIN FUNDS AMONG APPROPRIATED REVENUES, EDUCATION IMPROVEMENT ACT FUNDS, EDUCATION LOTTERY ACT FUNDS, AND FUNDS RECEIVED FROM THE CHILDREN'S EDUCATION ENDOWMENT FUND IN ORDER TO ENSURE THE DELIVERY OF ACADEMIC AND ARTS INSTRUCTION DURING THE 2008-2009 AND 2009-2010 FISCAL YEARS, AND TO PROVIDE THAT A SCHOOL DISTRICT MAY NOT TRANSFER FUNDS REQUIRED FOR DEBT SERVICE OR BONDED INDEBTEDNESS; TO ALLOW SCHOOL DISTRICTS FOR FISCAL YEARS 2008-2009 AND 2009-2010 TO SUSPEND CERTAIN PROFESSIONAL STAFFING RATIOS AND EXPENDITURE REGULATIONS, TO DELAY THE DATE THAT TEACHER CONTRACTS ARE ISSUED, TO NEGOTIATE SALARIES FOR CERTAIN RETIRED TEACHERS BELOW THE SCHOOL DISTRICT SALARY SCHEDULE, AND TO FURLOUGH TEACHERS FOR UP TO FIVE NONINSTRUCTIONAL DAYS, PROVIDED THAT DISTRICT ADMINISTRATORS ARE FURLOUGHED FOR TWICE THE

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NUMBER OF DAYS; TO PROVIDE FURTHER MEASURES SCHOOL DISTRICTS AND EDUCATION-RELATED ENTITIES ARE ENCOURAGED TO TAKE TO MAXIMIZE RESOURCES; TO PROVIDE DISTRICT REPORTING REQUIREMENTS FOR COST-SAVING MEASURES UNDERTAKEN BY THE DISTRICT; TO REQUIRE SCHOOL DISTRICTS TO PROVIDE TO PUBLIC CHARTER SCHOOLS PUPIL ALLOCATION FOR EACH CATEGORICAL PROGRAM BEFORE IMPLEMENTING THESE FLEXIBILITY PROVISIONS; TO SUSPEND CERTAIN FORMATIVE ASSESSMENTS, TO ALLOW SCHOOL DISTRICTS TO SUSPEND TEXTBOOK ADOPTIONS, AND TO ALLOW SCHOOL DISTRICTS TO PURCHASE THE MOST ECONOMICAL TYPE OF BUS FUEL FOR THE 2008-2009 AND 2009-2010 FISCAL YEARS; TO REQUIRE SCHOOL DISTRICTS FOR THE 2009-2010 FISCAL YEAR TO UTILIZE AT LEAST SIXTY-FIVE PERCENT OF ITS PER PUPIL EXPENDITURES WITHIN PROVIDED CATEGORIES OF INSTRUCTION WITH CERTAIN CONDITIONS, AND TO PROVIDE REPORTING REQUIREMENTS; TO REQUIRE SCHOOL DISTRICTS FOR THE 2009-2010 FISCAL YEAR TO MAINTAIN A TRANSACTION REGISTER THAT RECORDS CERTAIN EXPENDED FUNDS, TO PROVIDE WHAT THE REGISTER MUST INCLUDE, TO REQUIRE SCHOOL DISTRICTS TO PUBLISH THEIR CREDIT CARD STATEMENTS ON THEIR WEBSITES, AND TO REQUIRE THE COMPTROLLER GENERAL TO PUBLISH ON ITS WEBSITE CREDIT CARD INFORMATION OF SCHOOL DISTRICTS THAT DO NOT MAINTAIN THEIR OWN WEBSITES; AND TO SUSPEND SECTION 59-21-1030 OF THE 1976 CODE FOR THE 2008-2009 AND 2009-2010 FISCAL YEARS.

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(R15, H. 3463) -- Reps. G.R. Smith, Bannister and Hiott: AN ACT 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.

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(R16, H. 3556) -- Reps. Loftis, Bedingfield, Nanney, Dillard, Cato, Allen, G.R. Smith, Hamilton, Rice, Stringer, Willis and Wylie: AN ACT TO CHANGE THE NAME OF THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY TO RENEWABLE WATER RESOURCES.

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(R17, H. 3575) -- Reps. Hearn, Barfield, Hardwick, Clemmons, Edge and Viers: AN ACT TO AMEND ACT 287 OF 1989, AS AMENDED, RELATING TO THE MEMBERSHIP OF THE HORRY COUNTY BOARD OF EDUCATION, SO AS TO PROVIDE THAT THE TERM OF OFFICE OF A NEWLY ELECTED MEMBER OF THE HORRY COUNTY BOARD OF EDUCATION MUST COMMENCE UPON THE DATE OF THE FIRST MEETING OF THE BOARD IN JANUARY FOLLOWING THE NOVEMBER ELECTION.

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(R18, 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 IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP; AND TO PROVIDE THAT SCHOOL DISTRICTS MAY CLOSE FOR UP TO THREE DAYS OF THE SCHOOL DISTRICT'S CHOOSING DURING THE 2008-2009 SCHOOL YEAR AND THAT MAKE-UP REQUIREMENTS ARE WAIVED.

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(R19, H. 3649) -- Reps. Hiott, Rice, Skelton and Owens: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON MARCH 2, 2009, BY THE STUDENTS OF THE SCHOOL DISTRICT OF PICKENS COUNTY WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO

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SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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(R20, H. 3657) -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO PRENEED LIFE INSURANCE MINIMUM STANDARDS FOR DETERMINING RESERVE LIABILITIES AND NONFORFEITURE VALUES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4035, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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(R21, H. 3664) -- Rep. Merrill: AN ACT 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.

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

**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.**

**CONCURRENCE**

S. 487 -- Senators Bright, Reese and S. Martin: A BILL TO AMEND ACT 612 OF 1984, RELATING TO THE METHOD OF CONDUCTING ELECTIONS FOR MEMBERS OF THE SCHOOL

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DISTRICT BOARDS OF TRUSTEES IN SPARTANBURG COUNTY, TO REDUCE THE NUMBER OF QUALIFIED ELECTORS THAT MUST SIGN A PETITION FOR A PERSON TO PLACE HIS NAME AS A CANDIDATE ON THE BALLOT.

The House returned the Bill with amendments.

On motion of Senator S. MARTIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

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

**READ THE THIRD TIME, SENT TO THE HOUSE**

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. (ABBREVIATED TITLE)

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

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

**Ayes 31; Nays 6**

**AYES**

Alexander	Anderson	Cleary
Coleman	Courson	Cromer
Fair	Hutto	Jackson
Land	Leatherman	Leventis
Lourie	Malloy	<i>Martin, L.</i>
<i>Martin, S.</i>	Massey	Matthews
McConnell	McGill	Nicholson
O'Dell	Peeler	Rankin
Reese	Scott	Setzler
Shoopman	Thomas	Verdin

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Williams

**Total--31**

**NAYS**

Bright  
Mulvaney

Bryant  
Rose

Campsen  
Ryberg

**Total--6**

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

**ACTING PRESIDENT PRESIDES**

At 1:19 P.M., Senator L. MARTIN assumed the Chair.

**Status Report on H. 3560, the General Appropriations Bill**

Senator LEATHERMAN, Chairman of the Committee on Finance, gave a status report on H. 3560, the General Appropriations Bill, to the Senate and H.R. 1, the American Recovery and Reinvestment Act.

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**LOCAL APPOINTMENTS**

**Confirmations**

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

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2007, and to expire April 30, 2011

David J. Turner, 180 Magnolia Street, Spartanburg, SC 29306

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2006, and to expire April 30, 2010

D. Bruce Horne, 378 Butler Rd., Saluda, SC 29138

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

Daniel R. Burns, 1645 Caldwell Rd., Campobello, SC 29322

Reappointment, Calhoun County Master-in-Equity, with the term to commence August 14, 2009, and to expire August 14, 2015

Martin R. Banks, 312 Tamwood Circle, Cayce, SC 29033

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

Donnie B. Blackley, 180 Magnolia St., Spartanburg, SC 29306

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

Vicki Rae M. Smith, 110 Main Street, Woodruff, SC 29388-0217

**ADJOURNMENT**

At 2:04 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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