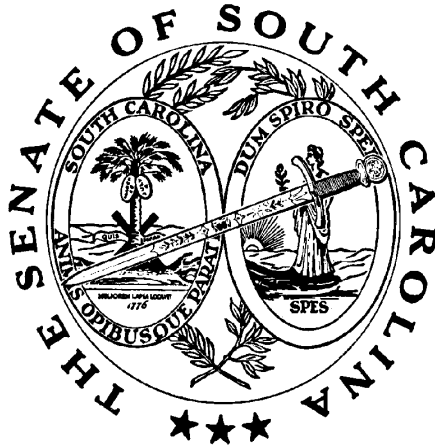


NO. 55

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

THURSDAY, APRIL 30, 2009

Thursday, April 30, 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:

We read in the book of Exodus how Moses said to the Lord God:
“O Lord, please send someone else to do it.” (Exodus 4:13)

Pray with me, please:

Dear Lord, over and over we discover how Moses exhibited reluctance to follow Your call, to do those things You wished for him to do, to carry out Your will. It is not an easy thing to be the sort of leader that You expect us to be. Therefore, O God, all the more do we ask You to fill this Chamber with Your Holy Presence. Touch the hearts and minds of each one of these Senators and each of their staff members. May these servants of Yours always be known as those who didn't wait for someone else to do what has to be done. Rather, lead them to honor You through their decisions on behalf of the good people of this State. In Your loving name we pray, Lord.
Amen.

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

CORRECTION TO THE JOURNAL

The entry for S. 416 was incorrectly reflected in the Journal of Wednesday, April 29, 2009, as having been carried over. The corrected entry should be as follows:

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 416 -- Senators Lourie, Knotts, Land, Leatherman, Hutto, Pinckney, Elliott, O'Dell, Massey, Peeler, Leventis, Hayes, Anderson, Sheheen, Rankin, Malloy, Scott, Williams, Setzler, Nicholson, Reese, L. Martin and Thomas: A BILL TO ENACT THE “HEALTH CARE ACCESSIBILITY FOR YOUNG AMERICANS ACT”, INCLUDING PROVISIONS TO AMEND THE CODE OF LAWS OF SOUTH

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CAROLINA, 1976, BY ADDING SECTION 38-71-295 SO AS TO PROVIDE HEALTH INSURANCE COVERAGE UNDER A PARENT'S POLICY FOR CERTAIN MILITARY PERSONNEL ON TERMINATION OF ACTIVE DUTY STATUS, AMONG OTHER THINGS; BY ADDING SECTION 38-71-300 SO AS TO DEFINE THE TERMS "DEPENDENT" AND "ELIGIBLE DEPENDENT" FOR HEALTH INSURANCE POLICIES ISSUED IN THIS STATE; TO AMEND SECTION 38-71-350, RELATING TO THE REQUIRED CONTINUATION OF COVERAGE FOR HANDICAPPED CHILDREN UNDER A PARENT'S INDIVIDUAL POLICY, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 38-71-360, RELATING TO THE REQUIRED CONTINUATION OF COVERAGE FOR NONHANDICAPPED CHILDREN UNDER A PARENT'S INDIVIDUAL POLICY, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 38-71-780, RELATING TO THE REQUIRED CONTINUATION OF COVERAGE TO HANDICAPPED AND DEPENDENT CHILDREN UNDER A PARENT'S GROUP POLICY, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 38-71-1330, AS AMENDED, RELATING TO DEFINITIONS CONCERNING SMALL EMPLOYER HEALTH INSURANCE, SO AS TO MAKE CONFORMING CHANGES.

Senator LOURIE 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 amendment proposed by the Committee on Banking and Insurance.

The Committee on Banking and Insurance proposed the following amendment (DKA\3727DW09), which was adopted:

Amend the bill, as and if amended, Section 38-71-300(A), SECTION 3, page 2, line 41, by striking the item number

/ (1) / only; and page 3, lines 22-26, by striking item (2) in its entirety.

Amend further, page 6, beginning on line 1, by striking SECTION 9 in its entirety and inserting:

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/ SECTION 9. Upon approval by the Governor, this act takes effect January 1, 2010, except that it is effective for the State Health Plan January 1, 2011. /

Renumber sections to conform.
Amend title to conform.

Senator LOURIE 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 29; Nays 10

AYES

Alexander	Anderson	Cleary
Courson	Cromer	Elliott
Fair	Hayes	Hutto
Jackson	Knotts	Land
Leatherman	Leventis	Lourie
Malloy	<i>Martin, L.</i>	Massey
Matthews	McConnell	Nicholson
O'Dell	Peeler	Reese
Scott	Setzler	Sheheen
Thomas	Williams	

Total--29

NAYS

Bright	Bryant	Campbell
Campsen	Davis	<i>Martin, S.</i>
Mulvaney	Rose	Ryberg
Shoopman		

Total--10

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

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* * *

CORRECTION TO THE JOURNAL

The entry for S. 454 was incorrectly reflected in the Journal of Wednesday, April 29, 2009, as having adopted the committee amendment and receiving a second reading. The corrected entry should be as follows:

CARRIED OVER

S. 454 -- Senators Peeler and Ford: A BILL TO AMEND CHAPTER 56, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE BOARD OF PYROTECHNIC REGULATIONS, SO AS TO REVISE THE CHAPTER TITLE, TO PROVIDE STATE POLICY CONCERNING PYROTECHNICS, TO INCREASE THE STATE BOARD OF PYROTECHNIC SAFETY FROM SIX TO SEVEN MEMBERS, TO DEFINE TERMS, TO REQUIRE LICENSURE FOR THE MANUFACTURING, SALE, OR STORAGE OF FIREWORKS, TO AUTHORIZE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, FIRE CHIEFS, AND LAW ENFORCEMENT OFFICERS TO INVESTIGATE COMPLAINTS, TO PROVIDE GROUNDS FOR DISCIPLINARY ACTION, TO REQUIRE LIABILITY INSURANCE, TO REQUIRE REPORTING OF FIRES AND EXPLOSIONS, TO PROVIDE CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS, AND TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF PERSONS HANDLING FIREWORKS.

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

* * *

MESSAGE FROM THE GOVERNOR

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

Local Appointments

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

William G. Bates, P. O. Box 824, Pelzer, SC 29669

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

James T. Busby, Jr., 107 South Main Street, 2nd Floor, P. O. Box 8002, Anderson, SC 29622

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

James A. Cox, 1009 Old County Home Road, P.O. Box 8002, Anderson, SC 29622

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

Sherry E. Mattison, P. O. Box 828, Belton, SC 29627

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

Rad Stuart Deaton, 2170 Ashley Phosphate Road, North Charleston, SC 29406 *VICE* Harry Lee Wright

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

Arthur Tuggle Bryngelson, Jr., 308 Tuggle Lane, Givhans, SC 29472-8724 *VICE* James H. Messervy

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

Gary L. Cook, 4138 Club Course Drive, North Charleston, SC 29420

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

Jacquelyn G. Jenkins, P. O. Box 697, St. George, SC 29477

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

Myron D. Johnson, 400 Shaftesbury Lane, Summerville, SC 29485

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

Maite Murphy, 167 Oak Bluff Road, Summerville, SC 29485 *VICE* Penny Merriman

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

Frederick J. Newton, 400 Lakeview Drive, Summerville, SC 29485
VICE Michael T. Londergan, Mark A. Leindecker

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

Katrina L. Patton, 117 Colleton Avenue, Summerville, SC 29483

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

Peter Brandt Shelbourne, 116 South Oak Street, Summerville, SC 29483

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

Janice Y. Simmons, 262 Mallard Road, Summerville, SC 29483

Initial Appointment, Marion County Magistrate, with the term to commence April 30, 2006, and to expire April 30, 2010

Carolyn H. Donnelly-Gause, 908 Fleetwood Dr., Mullins, SC 29574
VICE Regina G. Bristow

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

Jeffrey Dean Bailey, 210 West Main Street, Union, SC 29379

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

Jimmy Dean Crocker, 210 West Main Street, Union, SC 29379

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

William E. Goodwin, 210 West Main Street, Union, SC 29379

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

Harold Whitney Smith, 174 Tom Kelly Circle, Carlisle, SC 29031

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REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4020
Agency: Public Service Commission
SUBJECT: PC&N (Stretcher Vans)
Received by Lieutenant Governor January 13, 2009
Referred to Judiciary Committee
Legislative Review Expiration May 13, 2009
Withdrawn and Resubmitted April 30, 2009

Doctor of the Day

Senators McGILL, O'Dell and Jackson introduced Dr. Thomas Rowland of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator L. MARTIN, at 1:10 P.M., Senator CROMER was granted a leave of absence for today.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator HAYES, on behalf of the York County Legislative Delegation, rose for an Expression of Personal Interest to congratulate and thank Mr. Phil Land, Research Director of the Senate Ethics Committee, for his dedicated service upon the occasion of his retirement.

Adopted

S. 713 -- Senator Hayes: A CONCURRENT RESOLUTION TO EXPRESS THE APPRECIATION OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY TO MR. J. PHILIP LAND, RESEARCH DIRECTOR FOR THE SENATE ETHICS COMMITTEE, FOR HIS MANY YEARS OF DISTINGUISHED SERVICE TO THE STATE OF SOUTH CAROLINA UPON HIS RETIREMENT FROM THE SOUTH CAROLINA SENATE, AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

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Whereas, on April 30, 2009, Mr. J. Philip Land will retire after many years of dedicated and distinguished service as an employee of the South Carolina Senate; and

Whereas, since 2001, Phil has served as Research Director of the Senate Ethics Committee and effectively and successfully assisted members and candidates with ethics questions and filings. He was also instrumental in the smooth transition from a paper to electronic filing system; and

Whereas, Phil began working at a young age and has fulfilled many professional roles including that of a Marine Corp Combat Veteran serving the Marine Corps from 1966 to 1969; and

Whereas, upon returning home he entered college in Birmingham, Alabama under the G.I. Bill, ultimately graduating in 1981 from Winthrop University in Rock Hill, South Carolina; and

Whereas, his personal life includes more than thirty years of management experience and he has been responsible for company-wide and statewide programs that fostered strong employee involvement, profitability, and effective community service; and

Whereas, Phil's professional experience includes serving as a Service Coordinator for the Commission on Prosecution Coordination, the S.C. Department of Juvenile Justice, Executive Director for the Alabama Crime Victims Compensation Commission, State Director for the S.C. Office of Victim Assistance, Store Manager for Kimbrell's Furniture Stores, Business Development Officer for Rock Hill National Bank, and Vice President/Manager for TownCenter Mall Corporation; and

Whereas, Phil's public service involves serving as State Board Director for the South Carolina Board of Financial Institutions; Past Distinguished President for the Rock Hill Kiwanis Club; Chair, Publicity Director, and Promotional Volunteer for the Rock Hill "Come See Me" Festival; President of the Rock Hill Chapter Mental Health Association; York County Republican Party; and York Technical College Instructor; and

Whereas, Phil is married to Dr. Betty Lou Jackson Land, Ph.D., a retired Professor of Reading Methodology at Winthrop University, and together they have two children, Sarah Helen Harrell and J. Philip Land, Jr.; and

Whereas, Phil has been a member of Rock Hill Oakland Baptist Church since 1975 where he has served as a deacon, Sunday School teacher, and on several committees; and

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Whereas, Phil's years of dedicated service to his beloved Senate and State have left an indelible impact on the people around him. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly, by this resolution, express their appreciation to Mr. J. Philip Land for his years of distinguished service to the State of South Carolina upon his retirement from the South Carolina Senate, and wish him well in all future endeavors.

Be it further resolved that a copy of this resolution be forwarded to Mr. J. Philip Land.

The Concurrent Resolution was published and adopted.

Expression of Personal Interest

Senators RANKIN and MCGILL rose for an Expression of Personal Interest.

Privilege of the Chamber

On motion of Senators KNOTTS and SETZLER, with unanimous consent, the Privilege of the Chamber to that area behind the rail was extended to Mr. Bunyan M. "BM" Cave upon the occasion of his retirement after 30 years of service to the State of South Carolina.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 455 Sen. Knotts

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 768 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND MARY FRANCES FRAZIER MCCAULEY OF GREENWOOD FOR HER MANY YEARS OF COMMUNITY SERVICE.

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The Senate Resolution was adopted.

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S. 769 -- Senators Hayes and Land: A CONCURRENT RESOLUTION TO HONOR SUSIE SURKAMER FOR HER MANY ACHIEVEMENTS AND CONTRIBUTIONS TO THE ARTS, AND TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT.

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

S. 770 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CONSUMER HEALTH FREEDOM ACT" BY ADDING CHAPTER 114 TO TITLE 44 SO AS TO PROVIDE THAT A CONSUMER, OR A PATIENT, HAS THE RIGHT TO SEEK AND TO HAVE DIRECT ACCESS TO ANY TYPE OF HEALTH CARE, OR HEALTH CARE INFORMATION OR PRODUCTS, THE CONSUMER OR PATIENT CONSIDERS TO BE IN HIS OR HER BEST INTEREST, INCLUDING COMPLEMENTARY OR ALTERNATIVE HEALTH CARE INFORMATION AND PRODUCTS.

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

S. 771 -- Senator Sheheen: A SENATE RESOLUTION TO MEMORIALIZE ANY GOVERNMENTAL BODY SUBJECT TO THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE TO MAXIMIZE THE CREATION OF AMERICAN JOBS AND RESTORE ECONOMIC GROWTH AND OPPORTUNITY BY COMMITTING TO SPENDING ECONOMIC RECOVERY PLAN FUNDS PROVIDED TO THAT BODY BY THE AMERICAN TAXPAYERS ON PURCHASING MATERIALS, GOODS, AND SERVICES THAT ARE MADE OR PERFORMED IN THE UNITED STATES OF AMERICA WHENEVER AND WHEREVER POSSIBLE.

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Senator SHEHEEN spoke on the Resolution.

The Senate Resolution was introduced and referred to the Committee on Finance.

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S. 772 -- Senator McGill: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE SOUTH CAROLINA FORESTRY COMMISSION IN ITS VALIANT CONTROL OF THE HIGHWAY 31 WILDFIRE IN HORRY COUNTY.

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The Senate Resolution was adopted.

S. 773 -- Senator Leventis: A BILL TO AMEND ACT 387 OF 2008, AS AMENDED, RELATING TO THE CONSOLIDATED SUMMER SCHOOL DISTRICT, SO AS TO REVISE THE INITIAL TERMS OF THE SEVEN MEMBERS OF THE GOVERNING BOARD OF THE DISTRICT ELECTED IN 2010.

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

S. 774 -- Senator Reese: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF SPARTANBURG 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, on motion of Senator REESE, with unanimous consent, S. 774 was ordered placed on the Calendar without reference.

S. 774--Ordered to a Second and Third Reading

On motion of Senator REESE, with unanimous consent, S. 774 was ordered to receive a second and third reading on the next two consecutive legislative days.

S. 775 -- Senators Grooms and Knotts: A BILL TO AMEND SECTION 56-1-130, AS AMENDED, RELATING TO CLASSIFIED DRIVER'S' LICENSES, SO AS TO PROVIDE THAT AN OPERATOR OF A MOTORCYCLE THREE-WHEEL VEHICLE IS ONLY REQUIRED TO HAVE A BASIC DRIVER'S LICENSE OR A

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MOTORCYCLE LICENSE, RATHER THAN A MOTORCYCLE LICENSE WITH A SPECIAL ENDORSEMENT.

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

S. 776 -- Senators Matthews, Pinckney and Grooms: A CONCURRENT RESOLUTION TO COMMEND MAYOR CHARLIE SWEAT OF WALTERBORO FOR HIS LIFETIME OF DEDICATED PUBLIC SERVICE, TO CONGRATULATE HIM UPON HIS RETIREMENT AS MAYOR OF WALTERBORO, AND TO WISH HIM MUCH SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

S. 777 -- Senators Malloy, Campsen, Mulvaney, Davis and Rose: A BILL TO AMEND SECTIONS 2-19-10, 2-19-20, 2-19-35, 2-19-70, AND 2-19-80, ALL AS AMENDED, AND SECTION 2-19-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, ALL SO AS TO CHANGE THE COMMISSION'S PROCESS FOR NOMINATING JUDICIAL CANDIDATES FROM THE NOMINATION OF THREE CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY AND TO PROVIDE FURTHER CONFORMING CHANGES.

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Senator MALLOY spoke on the Bill.

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

H. 3087 -- Reps. Brady and M. A. Pitts: A BILL TO AMEND SECTION 23-3-535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITATIONS ON PLACES OF RESIDENCE FOR SEX OFFENDERS, SO AS TO PROVIDE THAT A LOCAL GOVERNMENT MAY NOT ENACT AN ORDINANCE THAT EXPANDS OR CONTRACTS THE BOUNDARIES OF THE AREAS IN WHICH A SEX OFFENDER MAY OR MAY NOT RESIDE THAT ARE CONTAINED IN THIS SECTION.

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

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H. 3118 -- Reps. Kirsh, J. E. Smith, Funderburk, Weeks and Hutto: A BILL TO AMEND SECTION 63-11-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF GUARDIANS AD LITEM IN CHILD ABUSE AND NEGLECT CASES, SO AS TO PROVIDE THAT THE SOUTH CAROLINA GUARDIAN AD LITEM PROGRAM HAS THE RIGHT TO INTERVENE IN A PROCEEDING TO PETITION TO HAVE THE GUARDIAN AD LITEM REMOVED IF THE GUARDIAN AD LITEM IS NOT IN COMPLIANCE WITH STATE LAW OR IS NOT ACTING IN THE BEST INTEREST OF THE CHILD; AND TO AMEND SECTION 63-11-550, RELATING TO CONFIDENTIALITY OF REPORTS AND INFORMATION MAINTAINED BY THE GUARDIAN AD LITEM PROGRAM, SO AS TO ALSO PROVIDE THAT REPORTS AND INFORMATION MAINTAINED BY A GUARDIAN AD LITEM IS CONFIDENTIAL.

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

H. 3130 -- Rep. Harvin: A BILL TO AMEND SECTION 12-37-3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING WHEN A PARCEL OF REAL PROPERTY MUST BE APPRAISED AS A RESULT OF AN ASSESSABLE TRANSFER OF INTEREST, SO AS TO PROVIDE THAT A CONVEYANCE TO A TRUST DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE SETTLOR OR SETTLOR'S SPOUSE CONVEYS THE PROPERTY TO A TRUST THE BENEFICIARIES OF WHICH ARE A CHILD OR CHILDREN OF THE SETTLOR OR THE SETTLOR'S SPOUSE AND TO PROVIDE THAT A CONVEYANCE BY DISTRIBUTION UNDER A WILL OR BY INTESTATE SUCCESSION DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE DISTRIBUTE IS A CHILD OR CHILDREN OF A DECEDENT AND THE DECEDENT DID NOT HAVE A SPOUSE AT THE DECEDENT'S DATE OF DEATH.

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

H. 3134 -- Reps. Bowers and Long: A BILL TO AMEND SECTION 56-3-9910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF GOLD

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STAR FAMILY SPECIAL LICENSE PLATES, SO AS TO REDUCE THE FEE FOR THIS SPECIAL LICENSE PLATE.

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

H. 3231 -- Reps. E. H. Pitts, T. R. Young, Ballentine, Haley, Harrison, J. E. Smith, Sellers, Govan, Bannister, G. M. Smith, Funderburk, Bedingfield and Hart: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, SO AS TO PROVIDE FOR THE JOINT ELECTION OF GOVERNOR AND LIEUTENANT GOVERNOR BEGINNING WITH THE GENERAL ELECTION OF 2014.

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

H. 3252 -- Reps. Sellers and Weeks: A BILL TO AMEND SECTION 56-1-745, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATORY SUSPENSION OF A PERSON'S DRIVER'S LICENSE FOR CERTAIN CONTROLLED SUBSTANCE CONVICTIONS, SO AS TO PROVIDE THAT DRIVER'S LICENSE SUSPENSION UNDER THESE CIRCUMSTANCES IS IN THE DISCRETION OF THE JUDGE.

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

H. 3377 -- Reps. Moss, Vick, Simrill, Anthony, Bedingfield, H. B. Brown, Duncan, Gambrell, Gullick, Jennings and A. D. Young: A BILL TO AMEND SECTION 23-1-212, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, SO AS TO PROVIDE THAT NATIONAL PARK SERVICE RANGERS ARE FEDERAL LAW ENFORCEMENT OFFICERS WHO ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

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

H. 3488 -- Reps. J. E. Smith, Hart, Williams, R. L. Brown, Hutto and Weeks: A JOINT RESOLUTION TO ESTABLISH A COMMITTEE TO STUDY CERTAIN ISSUES AFFECTING VETERANS AND PROVIDE FOR RELATED MATTERS INCLUDING, BUT NOT

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LIMITED TO, COMMITTEE MEMBERSHIP AND DUTIES, THE FILLING OF VACANCIES, COMMITTEE MEETINGS, AND STAFFING.

Read the first time and referred to the General Committee.

H. 3550 -- Reps. Cato, Herbkersman, Agnew, Merrill, Stavrinakis, Funderburk, Brady, Anderson, R. L. Brown, Kelly, Limehouse, J. E. Smith, Whipper, Hutto, Allison, Parker, Sottile, Erickson and Bales: A BILL TO AMEND CHAPTER 10, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BUILDING ENERGY EFFICIENCY STANDARD ACT, SO AS TO REVISE THE TITLE OF THE ACT TO THE "ENERGY STANDARD ACT", TO REVISE DEFINITIONS, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE AS THE ENERGY STANDARD AND TO PROVIDE THAT ALL NEW AND RENOVATED BUILDINGS MUST COMPLY WITH THIS STANDARD, TO PROVIDE THAT LOCAL BUILDING OFFICIALS SHALL ENFORCE THE ENERGY STANDARD AND TO PROVIDE ALTERNATIVE ENFORCERS IN AREAS WITHOUT A BUILDING OFFICIAL, TO PROVIDE THAT BUILDING OFFICIALS SHALL ISSUE AND REVOKE BUILDING PERMITS AND INSPECT CONSTRUCTION OF BUILDINGS PURSUANT TO THE PERMITS ISSUED, TO REQUIRE LOCAL JURISDICTIONS TO PROVIDE AN APPEALS BOARD AND PROCESS FOR GRANTING OF CERTAIN VARIANCES, TO PROVIDE AN EXCEPTION AND TO ALLOW CERTAIN APPEALS TO BE HEARD BY THE SOUTH CAROLINA BUILDING CODES COUNCIL, AND TO PROVIDE THAT A PERSON OR PARTY MAY OBTAIN INJUNCTIVE RELIEF; AND TO AMEND SECTION 6-9-50, AS AMENDED, RELATING TO THE MANDATORY ADOPTION OF CERTAIN NATIONAL BUILDING CODES, BUILDING ENVELOPE REQUIREMENTS OF THE ENERGY CODE, FREE ACCESS TO CODE DOCUMENTS, AND THREE STORY HOMES, SO AS TO DELETE PROVISIONS RELATING TO WHAT CONSTITUTES COMPLIANCE WITH THE BUILDING ENVELOPE REQUIREMENTS OF THE ENERGY CODE, FREE ACCESS TO DOCUMENTS CONTAINING CODES ADOPTED BY THE BUILDING CODES COUNCIL, AND BUILDING PERMITS FOR THREE STORY HOMES.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3653 -- Rep. McLeod: A JOINT RESOLUTION TO DELAY IMPLEMENTATION OF THE PROVISIONS OF ACT 270 OF 2008, RELATING TO THE REQUIREMENT THAT MUNICIPAL COURT JURY LISTS INCLUDE OTHERWISE QUALIFIED RESIDENTS OF THE MUNICIPALITY WHO HOLD A VALID SOUTH CAROLINA DRIVER'S LICENSE OR IDENTIFICATION CARD, SO AS TO POSTPONE THIS EXPANSION OF THE MUNICIPAL COURT JURY LIST UNTIL DECEMBER 31, 2009.

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

H. 3720 -- Rep. Clemmons: A BILL TO AMEND SECTION 15-9-720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SERVICE ON UNKNOWN PARTIES BY PUBLICATION IN CERTAIN ACTIONS CONCERNING REAL PROPERTY, SO AS TO PROVIDE FOR SERVICE OF ALL COURT REQUIRED DOCUMENTS BY PUBLICATION AND, FURTHER, IN AN ACTION INVOLVING MULTIPLE UNITS IN A SINGLE HORIZONTAL PROPERTY REGIME, FOR SERVICE BY PUBLICATION BY CONSOLIDATING THE SERVICES INTO A SINGLE SERVICE THAT IDENTIFIES EACH APARTMENT INCLUDED IN THE ACTION BASED ON THE APARTMENT'S DESCRIPTION IN THE MASTER DEED.

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

H. 3761 -- Rep. Cooper: A BILL TO AMEND SECTION 44-53-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FORFEITURE PROCEDURES RELATED TO DRUG PROCEEDS, SO AS TO ALLOW THE USE OF FORFEITED MONIES AND PROCEEDS FROM THE SALE OF PROPERTY FOR TRAINING AND EDUCATION BY LAW ENFORCEMENT IN ADDITION TO OTHER USES PREVIOUSLY DELINEATED.

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

H. 3841 -- Reps. Owens, Cooper, Skelton, Sottile, J. M. Neal, R. L. Brown, Simrill, Battle, Govan, Barfield, Gullick, Stavrinakis, Hutto, Jefferson, Umphlett, Daning, Kirsh, Knight, Williams, Merrill, Weeks, Whipper, Mack, G. M. Smith, Lowe, Clemmons, Gilliard, Sellers,

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Erickson, Willis, Wylie, Mitchell, Stewart, Gunn, Vick, Harrell and J. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "TECHNICAL COLLEGE ADMINISTRATIVE EFFICIENCIES ACT OF 2009" SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH A TIERED SYSTEM FOR CATEGORIZING TECHNICAL COLLEGES WITH RESPECT TO THEIR FINANCIAL STRENGTH AND ABILITY TO MANAGE DAY-TO-DAY OPERATIONS AND A REVIEW SYSTEM FOR CERTAIN HUMAN RESOURCES, FACILITIES AND CAPITAL IMPROVEMENT, PROCUREMENT, AND GRANTS MANAGEMENT REQUESTS BY TECHNICAL COLLEGES; BY ADDING SECTION 2-47-70 SO AS TO ALLOW TECHNICAL COLLEGES TO ENTER INTO ONE OR MORE LEASE AGREEMENTS UPON CERTAIN CONDITIONS AND SUBJECT TO APPROVAL BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND REVIEW BY THE JOINT BOND REVIEW COMMITTEE AND THE STATE BUDGET AND CONTROL BOARD; BY ADDING SECTION 6-1-137 SO AS TO ALLOW TECHNICAL COLLEGES TO BE A PART OF CERTAIN CONTRACTS MADE BY COUNTIES, MUNICIPALITIES, OR SCHOOL DISTRICTS; TO AMEND SECTION 1-11-65, RELATING TO APPROVAL AND RECORDATION OF REAL PROPERTY TRANSACTIONS INVOLVING GOVERNMENTAL BODIES, SO AS TO EXCLUDE CERTAIN REAL PROPERTY TRANSACTIONS MADE FOR OR BY A TECHNICAL COLLEGE; TO AMEND SECTION 2-47-50, AS AMENDED, RELATING TO THE ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY THE STATE BUDGET AND CONTROL BOARD, SO AS TO PROVIDE FOR THE ESTABLISHMENT AND AUTHORIZATION OF CERTAIN PERMANENT IMPROVEMENT PROJECTS BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION UNDER CERTAIN CONDITIONS, TO PROVIDE THAT A TECHNICAL COLLEGE MAY NOT ADVERTISE AND INTERVIEW FOR PROJECT ARCHITECTURAL AND ENGINEERING SERVICES WITHOUT PRIOR APPROVAL OF THE ARCHITECTURAL AND ENGINEERING PHASE OF A PERMANENT IMPROVEMENT PROJECT BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE

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EDUCATION, AND TO PROVIDE FOR THE APPROVAL OF SCOPE AND BUDGET CHANGES FOR PREVIOUSLY APPROVED PROJECTS UP TO AN INCREASE OF TWENTY PERCENT OR TOTALING UP TO TWO MILLION DOLLARS BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND FOR THE PUBLICATION OF SUCH APPROVAL TO THE JOINT BOND REVIEW COMMITTEE; TO AMEND SECTION 2-65-30, RELATING TO RECEIPT AND EXPENDITURE OF UNANTICIPATED FUNDS, SO AS TO EXCLUDE TECHNICAL COLLEGES FROM STATE BUDGET AND CONTROL BOARD REVIEW OF EXPENDITURE PROPOSALS, AND TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO MONITOR FEDERAL FUNDS WITHIN THE TECHNICAL COLLEGE SYSTEM; TO AMEND SECTION 8-11-35, RELATING TO SALARY PAYMENT SCHEDULES, SO AS TO PROVIDE THAT THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION MAY APPROVE ALTERNATIVE SALARY PAYMENT SCHEDULES FOR TECHNICAL COLLEGE EMPLOYEES; TO AMEND SECTION 8-11-230, RELATING TO THE CREATION AND DUTIES OF THE STATE BUDGET AND CONTROL BOARD, SO AS TO REQUIRE THE STATE BUDGET AND CONTROL BOARD TO COORDINATE WITH THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION IN ESTABLISHING A CLASSIFICATION AND COMPENSATION PLAN FOR TECHNICAL COLLEGE CLASSIFIED EMPLOYEES, AND TO PROVIDE WHAT THE PLAN MUST INCLUDE; TO AMEND SECTION 11-35-1210, AS AMENDED, RELATING TO CERTIFICATION OF PROCUREMENTS, SO AS TO ALLOW FOR STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION APPROVAL FOR UP TO FIFTY THOUSAND DOLLARS IN ADDITIONAL PROCUREMENT AUTHORITY UPON CERTAIN CONDITIONS, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 11-35-1550, AS AMENDED, RELATING TO BID PROCEDURES ON PROCUREMENTS UP TO FIFTY THOUSAND DOLLARS, SO AS TO REVISE AMOUNTS TO WHICH CERTAIN PROVISIONS OF THE SECTION APPLY FOR TECHNICAL COLLEGES; TO AMEND SECTION 11-35-3230, AS AMENDED, RELATING TO

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AN EXCEPTION FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRACT, SO AS TO REVISE DOLLAR AMOUNTS FOR SUCH CONTRACTS BY TECHNICAL COLLEGES; TO AMEND SECTION 11-35-3310, AS AMENDED, RELATING TO INDEFINITE DELIVERY CONTRACTS FOR CONSTRUCTION ITEMS, SO AS TO REVISE DOLLAR LIMITS FOR CERTAIN CONTRACTS FOR TECHNICAL COLLEGES; AND TO AMEND SECTION 11-35-3810, AS AMENDED, RELATING TO REGULATIONS FOR THE SALE, LEASE, TRANSFER, AND DISPOSAL OF SURPLUS PROPERTY, SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH POLICIES AND PROCEDURES FOR GOVERNING THE DISPOSAL OF SURPLUS PROPERTY, AND TO PROVIDE FOR ANNUAL REVIEW AND MONITORING OF SUCH DISPOSAL.

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

H. 3917 -- Reps. Harrell, Edge and Hutto: A JOINT RESOLUTION TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES SHALL MAINTAIN ITS MEDICALLY FRAGILE CHILDREN'S PROGRAM AND SHALL PURSUE OPTIONS TO OBTAIN AUTHORITY TO MAINTAIN THE EXISTING PROGRAM WITH ITS CURRENT ELIGIBILITY CRITERIA.

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

H. 3919 -- Reps. Mitchell, Alexander, Gunn, Dillard, Hamilton, Limehouse, J. R. Smith, King, Kirsh, Littlejohn, J. M. Neal, Herbkersman, Stavrinakis, Chalk, Cobb-Hunter, Anthony, Branham, Brantley, Parker, Allison, Gilliard, J. H. Neal, Whipper, Mack, Battle, Hosey, Allen, Weeks, Jennings, Loftis, Knight, Vick, Rutherford and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-250 SO AS TO ESTABLISH THE SOUTH CAROLINA HOUSING COMMISSION TO PROVIDE RECOMMENDATIONS TO ENSURE AND FOSTER THE AVAILABILITY OF SAFE, SOUND, AND AFFORDABLE HOUSING AND WORKFORCE HOUSING FOR EVERY SOUTH CAROLINIAN, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND FOR OTHER PROCEDURAL MATTERS.

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

H. 3942 -- Agriculture, Natural Resources and Environmental Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE RIVERBANKS PARKS COMMISSION, RELATING TO RIVERBANKS PARKS COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4022, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3957 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-1-55 SO AS TO PROVIDE THAT ON ANY NAVIGABLE RIVER IN THIS STATE WHERE AN OYSTER FACTORY IS LOCATED, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY UTILIZE QUALIFIED PERSONNEL OF THE COUNTY OR MUNICIPALITY IN WHOSE JURISDICTION THE FACTORY OPERATES TO ASSIST WITH THE MONITORING OF WATER QUALITY AND OTHER ENVIRONMENTAL STANDARDS THE DEPARTMENT IS REQUIRED TO ENFORCE.

Senator DAVIS spoke on the Bill.

Read the first time and, on motion of Senator DAVIS, with unanimous consent, H. 3957 was ordered placed on the Calendar without reference.

H. 3957--Objection

Senator DAVIS asked unanimous consent to make a motion that the Bill be given second and third readings on successive days.

Senator McCONNELL objected.

H. 3974 -- Reprs. Funderburk, Gunn, 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, Erickson, Forrester, Frye, Gambrell, Gilliard, Govan, Gullick, Haley, Hamilton, Hardwick, Harrell,

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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. 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 RECOGNIZE AND COMMEND THE ALPHA & OMEGA VOLLEYBALL CLUB'S 12 BLACK FOR A SUCCESSFUL SEASON AND TO CONGRATULATE THE PLAYERS AND THEIR COACH FOR GARNERING THE JUNIOR GIRLS' 2009 PALMETTO VOLLEYBALL REGION CHAMPIONSHIP.

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

H. 3991 -- Reps. Stavrinakis, 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, 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. 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, 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 DECLARE THE WEEK OF MAY 4-8, 2009, AS TEACHER APPRECIATION WEEK IN SOUTH CAROLINA AND TO EXPRESS THE SINCERE

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GRATITUDE OF THE CITIZENS OF SOUTH CAROLINA TO THE TEACHERS OF THIS GREAT STATE.

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

H. 4000 -- Rep. Harrell: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO ARTICLE III, SECTION 9 OF THE CONSTITUTION OF THIS STATE AND SECTION 2-1-180 OF THE 1976 CODE, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 21, 2009, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET AT A TIME MUTUALLY AGREED UPON BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES NOT EARLIER THAN NOON ON TUESDAY, JUNE 16, 2009, FOR A PERIOD NOT TO EXCEED THREE STATEWIDE LEGISLATIVE DAYS FOR THE CONSIDERATION OF CERTAIN MATTERS, TO PROVIDE THAT WHEN EACH HOUSE ADJOURNS AFTER THIS THREE-DAY PERIOD NOT LATER THAN 5:00 P.M. ON THE THIRD LEGISLATIVE DAY, EACH HOUSE SHALL STAND ADJOURNED TO MEET AT A TIME MUTUALLY AGREED UPON BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES UPON CERTAIN OCCURRENCES AND FOR THE CONSIDERATION OF SPECIFIED MATTERS, AND TO PROVIDE THAT UNLESS ADJOURNED EARLIER, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE NO LATER THAN 5:00 P.M. ON MONDAY, JANUARY 11, 2010.

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

H. 4003 -- Reprs. Ballentine, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, 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, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne,

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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. 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 DECLARE MAY 22, 2009, PARENT CARE DAY IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT AND HONOR THEIR PARENTS.

The Concurrent Resolution was introduced and referred to the General Committee.

Message from the House

Columbia, S.C., April 30, 2009

Mr. President and Senators:

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

S. 232 -- Senators Ryberg, Hutto, Massey, Coleman, O'Dell, Anderson, L. Martin and Nicholson: 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".

Respectfully submitted,

Speaker of the House

Received as Information

The Bill was ordered placed on the Calendar for consideration tomorrow.

CONCURRENCE

S. 268 -- Senator McConnell: A BILL TO AMEND CHAPTER 8, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976,

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RELATING TO BUILDING CODES ENFORCEMENT OFFICERS, SO AS TO ESTABLISH A "SPECIAL INSPECTOR" OR "SPECIAL INSPECTION AGENCY" TO PERFORM BUILDING INSPECTIONS IN ONE OR MORE CONSTRUCTION TRADE DISCIPLINES, AND TO PROVIDE THE LICENSING PROCEDURE TO REQUIRE AUTHORIZATION FOR PERFORMING THESE INSPECTIONS FROM THE SOUTH CAROLINA BUILDING CODES COUNCIL AND THE DEPARTMENT OF LABOR, LICENSING AND REGULATION.

The House returned the Bill with amendments.

On motion of Senator McCONNELL, 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.

HOUSE CONCURRENCE

S. 763 -- Senators Bryant and O'Dell: A CONCURRENT RESOLUTION TO CONGRATULATE MR. RICK L. ADKINS OF ANDERSON, SOUTH CAROLINA, THE OUTGOING MEMBER OF THE SOUTH CAROLINA STATE BOARD OF EDUCATION, FOR HIS DISTINGUISHED SERVICE AND HIS DEDICATION FROM CIRCUIT 10 TO THE BETTERMENT OF THE SOUTH CAROLINA EDUCATION SYSTEM.

Returned with concurrence.

Received as information.

RECESS

At 12:05 P.M., on motion of Senator McCONNELL, the Senate recessed from business to attend a reception for Mr. Phil Land.

At 12:48 P.M., the Senate resumed.

PRESIDENT *Pro Tempore* PRESIDES

At 12:48 P.M., Senator McCONNELL assumed the Chair.

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

**READ THE THIRD TIME
ORDERED ENROLLED FOR RATIFICATION**

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H. 3581 -- Rep. Cooper: A JOINT RESOLUTION TO FURTHER PROVIDE FOR FISCAL YEAR 2009-2010 FOR THE FUNCTIONS AND FUNDING OF CERTAIN LOCAL GOVERNMENT MATTERS.

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

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

Ayes 22; Nays 18

AYES

Alexander	Anderson	Bright
Campbell	Coleman	Courson
Ford	Hayes	Hutto
Jackson	Knotts	Land
Leatherman	Leventis	Lourie
<i>Martin, L.</i>	Matthews	McConnell
Peeler	Rankin	Scott
Setzler		

Total--22

NAYS

Bryant	Campsen	Davis
Fair	Grooms	<i>Martin, S.</i>
Massey	McGill	Mulvaney
Nicholson	O'Dell	Reese
Rose	Sheheen	Shoopman
Thomas	Verdin	Williams

Total--18

The Joint Resolution was read the third time and ordered enrolled for Ratification.

HOUSE BILLS RETURNED

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

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H. 3616 -- Rep. Simrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 25 TO CHAPTER 53, TITLE 59 SO AS TO PROVIDE FOR THE YORK TECHNICAL COLLEGE ENTERPRISE CAMPUS, AND TO PROVIDE FOR ITS POWERS AND DUTIES.

H. 3616--Recorded Vote

Senator RYBERG desired to be recorded as voting in favor of the third reading of the Bill.

THIRD READING BILLS

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

S. 700 -- Senator Leatherman: A JOINT RESOLUTION TO AUTHORIZE THE UNIVERSITY OF SOUTH CAROLINA TO DEVELOP AND CONSTRUCT A NEW FACILITY FOR THE MOORE SCHOOL OF BUSINESS IN THE INNOVISTA DISTRICT ON THE COLUMBIA CAMPUS.

Senator COURSON asked unanimous consent to take the Joint Resolution up for immediate consideration.

There was no objection.

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

The Joint Resolution was read the third time and ordered returned to the House.

S. 758 -- Senator Land: A BILL TO AMEND ACT 355 OF 2004, RELATING TO THE ONE PERCENT SALES AND USE TAX WITHIN CLARENDON COUNTY, TO ALLOW PROCEEDS FROM THE TAX TO BE USED TO ENSURE THE DELIVERY OF ACADEMIC AND ART INSTRUCTION DURING THE 2009-2010 SCHOOL YEAR.

By prior motion of Senator LAND

S. 759 -- Senator Hayes: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES OF FORT MILL SCHOOL DISTRICT NO. 4 OF YORK COUNTY TO ISSUE GENERAL OBLIGATION BONDS OF

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THE DISTRICT FOR THE PURPOSE OF PAYING COSTS OF OPERATION AND MAINTENANCE OF CERTAIN ELEMENTARY SCHOOLS, TO REQUIRE THESE BONDS TO MATURE IN NO MORE THAN FIVE YEARS, TO REQUIRE THAT THE BONDS BE AUTHORIZED BY RESOLUTION OF THE BOARD OF TRUSTEES AFTER AN AUTHORIZATION BY A FAVORABLE VOTE OF THE QUALIFIED ELECTORS OF THE DISTRICT, TO PROVIDE THAT THE BONDS MAY BE SOLD BY PUBLIC OR PRIVATE SALE, AND TO PROVIDE OTHER MATTERS RELATED TO THE AUTHORIZATION AND SALE OF THE BONDS.

By prior motion of Senator HAYES

S. 188 -- Senators McConnell and Ford: A BILL TO AMEND SECTION 44-34-60 AND SECTION 44-34-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AGE RESTRICTIONS ON TATTOOING, SO AS TO PROVIDE THAT PERSONS EIGHTEEN OR OLDER ARE ELIGIBLE TO RECEIVE A TATTOO.

S. 188--Recorded Vote

Senator RYBERG desired to be recorded as voting in favor of the third reading of the Bill.

S. 188--Recorded Vote

Senator LEVENTIS, THOMAS and VERDIN desired to be recorded as voting against the third reading of the Bill.

S. 416 -- Senators Lourie, Knotts, Land, Leatherman, Hutto, Pinckney, Elliott, O'Dell, Massey, Peeler, Leventis, Hayes, Anderson, Sheheen, Rankin, Malloy, Scott, Williams, Setzler, Nicholson, Reese, L. Martin and Thomas: A BILL TO ENACT THE "HEALTH CARE ACCESSIBILITY FOR YOUNG AMERICANS ACT", INCLUDING PROVISIONS TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-295 SO AS TO PROVIDE HEALTH INSURANCE COVERAGE UNDER A PARENT'S POLICY FOR CERTAIN MILITARY PERSONNEL ON TERMINATION OF ACTIVE DUTY STATUS, AMONG OTHER THINGS; BY ADDING SECTION 38-71-300 SO AS TO DEFINE THE TERMS "DEPENDENT" AND "ELIGIBLE DEPENDENT"

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FOR HEALTH INSURANCE POLICIES ISSUED IN THIS STATE; TO AMEND SECTION 38-71-350, RELATING TO THE REQUIRED CONTINUATION OF COVERAGE FOR HANDICAPPED CHILDREN UNDER A PARENT'S INDIVIDUAL POLICY, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 38-71-360, RELATING TO THE REQUIRED CONTINUATION OF COVERAGE FOR NONHANDICAPPED CHILDREN UNDER A PARENT'S INDIVIDUAL POLICY, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 38-71-780, RELATING TO THE REQUIRED CONTINUATION OF COVERAGE TO HANDICAPPED AND DEPENDENT CHILDREN UNDER A PARENT'S GROUP POLICY, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 38-71-1330, AS AMENDED, RELATING TO DEFINITIONS CONCERNING SMALL EMPLOYER HEALTH INSURANCE, SO AS TO MAKE CONFORMING CHANGES.

S. 416--Recorded Vote

Senators ROSE and KNOTTS desired to be recorded as voting in favor of the third reading of the Bill.

S. 455 -- Senators Thomas, Rose and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 60 TO TITLE 38 SO AS TO ENACT THE "SOUTH CAROLINA HEALTHNET PROGRAM"; TO PROVIDE FOR THE CREATION OF A FIVE-YEAR PILOT PROGRAM TO PROMOTE THE AVAILABILITY OF HEALTH INSURANCE COVERAGE TO EMPLOYEES OF SMALL EMPLOYER GROUPS AND HEALTH GROUP COOPERATIVES REGARDLESS OF HEALTH STATUS OR CLAIMS EXPERIENCE, ESTABLISH RULES REGARDING RENEWAL OF COVERAGE, LIMITATIONS ON THE USE OF PREEXISTING CONDITIONS EXCLUSIONS, ASSURE FAIR ACCESS TO HEALTH PLANS AND IMPROVE OVERALL FAIRNESS AND EFFICIENCY OF THE SMALL GROUP HEALTH INSURANCE MARKET; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR THE COMPOSITION AND AUTHORITY OF THE BOARD OF DIRECTORS; TO PROVIDE FAIR MARKETING STANDARDS; TO PROVIDE FOR THE ESTABLISHMENT OF CRITERIA FOR PLAN ADMINISTRATION IN THE PLAN OF OPERATION; TO PROVIDE FOR RATES; TO PROVIDE FOR

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PROVIDER PARTICIPATION; TO PROVIDE FOR THE APPLICABILITY AND SCOPE OF THE CHAPTER; TO PROVIDE THAT SMALL GROUP HEALTH INSURERS SHALL OFFER AND MARKET PLANS DEVELOPED BY THE SOUTH CAROLINA HEALTHNET PROGRAM; TO PROVIDE FOR HEALTH BENEFIT PLAN STANDARDS; TO PROVIDE FOR ELIGIBILITY STANDARDS AND PROVIDE EXCEPTIONS; TO PROVIDE FOR TERMINATION AND NONRENEWAL OF COVERAGE; TO PROVIDE FOR CLAIMS DATA TO BE REPORTED TO THE PROGRAM; TO REQUIRE THE BOARD TO SUBMIT A REPORT REGARDING THE IMPLEMENTATION OF THE PROGRAM; AND TO AUTHORIZE THE DIRECTOR OF THE STATE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF CHAPTER 60, TITLE 38 ADDED BY THIS ACT.

S. 455 --Recorded Vote

Senator RYBERG desired to be recorded as voting against the third reading of the Bill.

S. 673 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA MORTGAGE LENDING ACT", BY ADDING CHAPTER 22 TO TITLE 37 SO AS TO REQUIRE THE LICENSING OF A MORTGAGE LENDER, LOAN ORIGINATOR, OR SOMEONE ACTING AS A MORTGAGE LENDER; PROVIDE DEFINITIONS; ESTABLISH QUALIFICATIONS FOR LICENSURE AND GROUNDS FOR REVOCATION, SUSPENSION, RENEWAL, AND TERMINATION; DESCRIBE PROHIBITED ACTIVITIES; PROVIDE FOR RECORD-KEEPING, TRUST AND ESCROW ACCOUNTS, AND ANNUAL REPORTS; PROVIDE FOR ENFORCEMENT THROUGH ADMINISTRATIVE ACTION BY THE COMMISSIONER OF THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS AND THROUGH CRIMINAL PENALTIES, AND TO PROVIDE FOR PARTICIPATION IN A NATIONAL MORTGAGE REGISTRY; TO AMEND SECTION 34-1-20, AS AMENDED, RELATING TO APPOINTMENT OF MEMBERS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, SO AS TO PROVIDE FOR A REPRESENTATIVE OF THE MORTGAGE BANKERS

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ASSOCIATION; TO AMEND SECTION 34-1-110, AS AMENDED, RELATING TO AUTHORITY OF CERTAIN FINANCIAL INSTITUTIONS TO ENGAGE IN BUSINESS, SO AS TO PROVIDE FOR MORTGAGE LENDERS AND LOAN ORIGINATORS; TO AMEND SECTIONS 37-1-301, 37-3-105, 37-3-501, AND 37-23-20, ALL RELATING TO DEFINITIONS IN CONNECTION WITH MORTGAGE LENDING AND BROKERING AND HIGH-COST AND CONSUMER HOME LOANS, SO AS TO CONFORM DEFINITIONS, AND TO ADD A DEFINITION FOR "ADJUSTABLE RATE MORTGAGE"; TO AMEND SECTIONS 37-23-40, 37-23-45, AND 37-23-75, ALL RELATING TO PROTECTIONS FOR THE BORROWER IN A HIGH-COST OR CONSUMER HOME LOAN TRANSACTION, SO AS TO REQUIRE CERTAIN DISCLOSURES IN CONNECTION WITH AN ADJUSTABLE RATE MORTGAGE; TO AMEND SECTION 29-4-20, RELATING TO THE DEFINITION OF "REVERSE MORTGAGE", SO AS TO CONFORM THE DEFINITION; AND TO AMEND CHAPTER 58, TITLE 40, RELATING TO THE REGISTRATION OF MORTGAGE LOAN BROKERS, SO AS TO CHANGE THE REGISTRATION REQUIREMENTS TO LICENSING REQUIREMENTS, TO CONFORM DEFINITIONS TO THOSE SET FORTH IN THE SOUTH CAROLINA MORTGAGE LENDING ACT, REQUIRE CERTAIN PROFESSIONAL COURSES, AN ADDITIONAL YEAR OF EXPERIENCE, AND A FINGERPRINT CHECK FOR MORTGAGE BROKERS AND LOAN ORIGINATORS, REQUIRE CERTAIN RECORDS BE KEPT AND MADE ACCESSIBLE, ADD CERTAIN PROHIBITIONS IN CONNECTION WITH A REAL ESTATE APPRAISAL, REQUIRE AND PRESCRIBE MORTGAGE BROKER AGREEMENTS, AUTHORIZE ENFORCEMENT BY THE DEPARTMENT OF CONSUMER AFFAIRS AND PRESCRIBE ADMINISTRATIVE PENALTIES INCLUDING FINES AND INJUNCTIONS AND A CRIMINAL PENALTY, REQUIRE CERTAIN REPORTS AND FILINGS, AND PROVIDE FOR PARTICIPATION IN A NATIONWIDE MORTGAGE REGISTRY.

S. 673--Recorded Vote

Senator BRIGHT desired to be recorded as voting against the third reading of the Bill.

[SJ]

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S. 696 -- Senator Matthews: A BILL TO AMEND SECTION 59-18-930 OF THE 1976 CODE, RELATING TO THE REQUIRED ADVERTISEMENT OF THE RESULTS OF A SCHOOL'S REPORT CARD IN A LOCAL NEWSPAPER, TO ALLOW REQUIRED ADVERTISEMENT TO BE WAIVED IF AN AUDITED NEWSPAPER OF GENERAL CIRCULATION IN A SCHOOL DISTRICT'S GEOGRAPHIC AREA HAS PREVIOUSLY PUBLISHED THE ENTIRE SCHOOL REPORT CARD RESULTS AS A NEWS ITEM.

Senator HAYES explained the Bill.

S. 696--Recorded Vote

Senator RYBERG desired to be recorded as voting in favor of the third reading of the Bill.

SECOND READING BILLS

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

S. 319 -- Senators Leventis, Rose, Malloy, Davis, Lourie and Hayes: A BILL TO AMEND TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 46 SO AS TO ENACT THE "INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN", TO PROVIDE THAT THE GOVERNOR MAY EXECUTE THE COMPACT WITH OTHER COMPACT STATES, TO PROVIDE THAT THE STATE SUPERINTENDENT OF EDUCATION IS THE COMPACT COMMISSIONER OF THIS STATE, TO ESTABLISH A COUNCIL ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, TO PROVIDE FOR THE COUNCIL'S MEMBERSHIP, APPOINTMENTS, TERMS, QUORUM, LEADERSHIP, FILLING OF VACANCIES, AND POWERS AND DUTIES, AND TO PROVIDE THE TERMS OF THE COMPACT.

Senator LEVENTIS explained the Bill.

S. 319--Ordered to a Third Reading

On motion of Senator LEVENTIS, S. 319 was ordered to receive a third reading on Friday, May 1, 2009.

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S. 756 -- Senator Hayes: A BILL TO AMEND SECTION 7-7-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF YORK 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.

S. 756--Ordered to a Third Reading

On motion of Senator HAYES, S. 756 was ordered to receive a third reading on Friday, May 1, 2009.

H. 3914 -- Rep. White: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF SOCIAL SERVICES TO SUSPEND THE ENFORCEMENT OF CERTAIN CHILDCARE CENTER STAFF-CHILD RATIO REGULATIONS.

Senator ALEXANDER explained the Joint Resolution.

**PREVIOUSLY PROPOSED AMENDMENT WITHDRAWN
READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment (23R007.LB):

Senator BRIGHT proposed the following amendment (23R007.LB), which was withdrawn:

Amend the bill, as and if amended, page 3, by striking lines 29-32 and inserting:

[SJ]

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/ product while a child ten years of age or younger, which includes an unborn baby that the mother knows or should know that she is carrying, is in the motor vehicle. As used in this section, the term 'unborn baby' means a baby in utero, and the term 'baby in utero' or 'baby who is in utero' means a member of the species homo sapiens, at any state of development, who is carried in the womb. /

Renumber sections to conform.

Amend title to conform.

Point of Order

Senator HUTTO restated the Point of Order raised on April 15, 2009 that this amendment was out of order inasmuch as it was identical to a previous amendment on which the Senate had already acted and this amendment could not be resubmitted for consideration except under a motion to reconsider.

Senator BRIGHT asked unanimous consent to withdraw the amendment.

There was no objection and the amendment was withdrawn.

Senator JACKSON explained the Bill.

Senator L. MARTIN spoke on the Bill.

The question then was the second reading of the Bill.

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

Ayes 25; Nays 15

AYES

Alexander	Anderson	Campbell
Coleman	Courson	Ford
Hayes	Hutto	Jackson
Knotts	Land	Leatherman
Leventis	Lourie	Matthews
Nicholson	Peeler	Rankin
Reese	Rose	Scott
Setzler	Sheheen	Thomas
Williams		

[SJ]

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Total--25

NAYS

Bright	Bryant	Campsen
Davis	Fair	Grooms
<i>Martin, L.</i>	<i>Martin, S.</i>	Massey
McConnell	McGill	Mulvaney
O'Dell	Shoopman	Verdin

Total--15

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

S. 23--Ordered to a Third Reading

On motion of Senator JACKSON, S. 23 was ordered to receive a third reading on Friday, May 1, 2009.

AMENDED, READ THE SECOND TIME

S. 248 -- Senators L. Martin, Shoopman, Fair, Verdin, Thomas, Lourie, Williams and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-95 SO AS TO CREATE THE OFFENSE OF UNLAWFULLY PROVIDING BEER OR WINE TO A PERSON UNDER THE AGE OF TWENTY-ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY-ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 61-6-4083 SO AS TO CREATE THE OFFENSE OF UNLAWFULLY PROVIDING ALCOHOLIC LIQUORS TO A PERSON UNDER THE AGE OF TWENTY-ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY-ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES.

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

Senators L. MARTIN and CAMPSSEN proposed the following amendment (S248CLN), which was adopted:

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

[SJ]

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/ SECTION 1. Article 1, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-95. (A) A person twenty-one years of age or older who knowingly and unlawfully sells to, transfers to, distributes to, or purchases beer or wine for consumption by a person under the age of twenty-one pursuant to the prohibitions provided in Section 61-4-50, 61-4-80, or 61-4-90, and that sale, transfer, distribution, or purchase is the proximate cause of great bodily injury to or the death of the person under the age of twenty-one or another person, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.

(B) A person under the age of twenty-one who knowingly and unlawfully sells to, transfers to, distributes to, or purchases beer or wine for consumption by a person under the age of twenty-one pursuant to the prohibitions provided in Section 61-4-50, 61-4-80, or 61-4-90, and that sale, transfer, distribution, or purchase is the proximate cause of great bodily injury to or the death of the person under the age of twenty-one or another person, is guilty of a:

(1) misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than three years, or both, when great bodily injury results; or

(2) felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both, when death results.

(C) Failure of a person who sells beer or wine to require identification to verify a person’s age is prima facie evidence of a violation of this section.

(D) The provisions of this section do not apply to a person who is permitted to transfer or distribute beer or wine to a person under the age of twenty-one pursuant to Section 61-4-90.”

SECTION 2. Article 13, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-4083. (A) A person twenty-one years of age or older who knowingly and unlawfully sells to, transfers to, distributes to, or purchases alcoholic liquors for consumption by a person under the age of twenty-one pursuant to the prohibitions provided in Section 61-6-4070, 61-6-4075, or 61-6-4080, and that sale, transfer, distribution, or purchase is the proximate cause of great bodily injury to or the death of the person under the age of twenty-one or another person, is guilty of a felony and, upon conviction, must be fined not

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more than five thousand dollars or imprisoned for not more than five years, or both.

(B) A person under the age of twenty-one who knowingly and unlawfully sells to, transfers to, distributes to, or purchases alcoholic liquors for consumption by a person under the age of twenty-one pursuant to the prohibitions provided in Section 61-6-4070, 61-6-4075, or 61-6-4080, and that sale, transfer, distribution, or purchase is the proximate cause of great bodily injury to or the death of the person under the age of twenty-one or another person, is guilty of a:

(1) misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than three years, or both, when great bodily injury results; or

(2) felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both, when death results.

(C) Failure of a person who sells alcoholic liquors to require identification to verify a person's age is prima facie evidence of a violation of this section.

(D) The provisions of this section do not apply to a person who is permitted to transfer or distribute alcoholic liquors to a person under the age of twenty-one pursuant to Section 61-6-4070."

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator L. MARTIN explained the amendment.

The 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.

S. 248--Ordered to a Third Reading

On motion of Senator SHOOPMAN, S. 248 was ordered to receive a third reading on Friday, May 1, 2009.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 484 -- Senators Sheheen and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-68-95 SO AS TO PROVIDE DE MINIMIS OPERATIONS LICENSURE REQUIREMENTS FOR NONRESIDENT PROFESSIONAL EMPLOYER ORGANIZATIONS AND GROUPS; TO AMEND SECTION 40-68-30, AS AMENDED, RELATING TO LICENSURE REQUIREMENTS FOR PROFESSIONAL EMPLOYER ORGANIZATIONS, SO AS TO INCREASE APPLICATION FEES AND TO REQUIRE AN APPLICATION FEE FOR EACH COMPANY IN A PROFESSIONAL EMPLOYER ORGANIZATION GROUP; TO AMEND SECTION 40-68-40, AS AMENDED, RELATING TO QUALIFICATIONS TO BE LICENSED AS A PROFESSIONAL EMPLOYER ORGANIZATION AND QUALIFICATIONS TO SERVE AS A CONTROLLING PERSON OF A LICENSEE, SO AS TO DELETE A PROVISION AUTHORIZING ISSUANCE OF A NONRESIDENT RESTRICTED LICENSE WITHOUT THE REQUISITE TWO YEARS EXPERIENCE, TO MAKE TECHNICAL CORRECTIONS, AND TO DELETE OBSOLETE LANGUAGE; TO AMEND SECTION 40-68-45, RELATING TO CONTINUING EDUCATION, SO AS TO PROVIDE THAT THE HOLDER OF A DE MINIMIS OPERATIONS LICENSE IS NOT REQUIRED TO TAKE CONTINUING EDUCATION, TO REVISE THE DEFINITION OF "KEY PERSONNEL" FOR CERTAIN PURPOSES, AND TO DELETE OBSOLETE LANGUAGE; TO AMEND SECTION 40-68-50, AS AMENDED, RELATING TO LICENSURE AND RENEWAL FEES, SO AS TO REVISE INITIAL AND RENEWAL LICENSE FEES, TO DELETE NONRESIDENT PROFESSIONAL EMPLOYER ORGANIZATION LICENSE AND RENEWAL LICENSE FEES, AND TO DELETE PROVISIONS

[SJ]

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STATING MAXIMUM LICENSURE FEES; TO AMEND SECTION 40-68-90, AS AMENDED, RELATING TO RESTRICTED LICENSURE OF NONRESIDENT COMPANIES AND GROUPS, SO AS TO REVISE THE REQUIREMENTS FOR A RESTRICTED LICENSE AND TO AUTHORIZE THE DEPARTMENT OF CONSUMER AFFAIRS TO WAIVE THE AUDITED FINANCIAL STATEMENT REQUIREMENT FOR SUCH APPLICANTS; TO AMEND SECTION 40-68-100, AS AMENDED, RELATING TO ISSUANCE AND VALIDITY OF LICENSES, SO AS TO CLARIFY THE INITIAL LICENSURE PERIOD; TO AMEND SECTION 40-68-120, AS AMENDED, RELATING TO REQUIREMENTS FOR VARIOUS BENEFIT PROGRAMS FOR LICENSEES, INCLUDING WORKERS' COMPENSATION PLANS AND HEALTH BENEFIT PLANS, SO AS TO REQUIRE BOTH PLANS TO BE LICENSED WITH THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 40-68-140, AS AMENDED, RELATING TO REQUIREMENTS FOR LICENSEE NAME AND LOCATION CHANGES, SO AS TO ALSO REQUIRE A LICENSEE TO PROVIDE THE DEPARTMENT WITH OTHER CHANGES IN STATUS AS MAY BE REQUIRED; TO AMEND SECTION 40-68-160, AS AMENDED, RELATING TO GROUNDS FOR DISCIPLINARY ACTION AND DISCIPLINARY PROCEDURES, SO AS TO FURTHER SPECIFY PROCEDURES FOR PURSUING A CONTESTED CASE; TO AMEND SECTION 40-68-165, AS AMENDED, RELATING TO THE DEPARTMENT OF CONSUMER AFFAIRS OR THE ATTORNEY GENERAL ENFORCING THIS CHAPTER BY FILING AN ACTION IN THE CIRCUIT COURT, SO AS TO ALSO AUTHORIZE FILING AN ACTION IN THE ADMINISTRATIVE LAW COURT; AND TO AMEND SECTION 12-54-240, AS AMENDED, RELATING TO THE PROHIBITION AGAINST DISCLOSING RECORDS OF AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE AND EXCEPTIONS TO THIS PROHIBITION, SO AS TO INCLUDE IN THIS EXCEPTION THE DISCLOSURE OF INFORMATION RELATED TO PAYROLL WITHHOLDING TAXES TO THE DEPARTMENT OF CONSUMER AFFAIRS IN CONJUNCTION WITH THE DEPARTMENT LICENSING AND REGULATION OF PROFESSIONAL EMPLOYER ORGANIZATIONS.

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

[SJ]

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The Committee on Labor, Commerce and Industry proposed the following amendment (484R001.WGR), which was adopted:

Amend the bill, as and if amended, pages 3-4, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Section 40-68-30(D) of the 1976 Code is amended to read:

“(D) An application for a professional employer organization group license under Section 40-68-80 must provide the information required by this chapter for each member of the group. An applicant or licensee is ineligible for a license for one year after the date of final ~~departmental~~ action on the denial or revocation of a license applied for or issued under this chapter. This restriction does not apply to a denial or revocation of a license if the basis of the action was:

(1) an inadvertent error or omission in the application if that error or omission is promptly corrected;

(2) the experience documented to the department was insufficient at the time of the previous application;

(3) the department was unable to complete the criminal background investigation required under Section 40-68-40 because of insufficient information received from a local, state, or federal law enforcement agency; or

(4) that one or more of the controlling persons affiliated with the applicant or licensee was determined by the department to be unsuitable, if that unsuitable controlling person has in fact ceased to be a controlling person of the applicant or licensee.” /

Amend the bill further, as and if amended, page 6, by striking lines 10-43 and on page 7, by striking lines 1-30 and inserting:

/ “Section 40-68-50. (A) An applicant for an ~~original~~ initial or renewal license shall pay a fee to the department on the issuance of the license or license renewal. License fees are assessed as follows:

(1) for initial licenses, in the first year of the biennium:

(a) two thousand dollars for a ~~resident~~ professional employer organization;

(b) four thousand dollars for a ~~resident~~ professional employer organization group;

(c) ~~two thousand dollars for a nonresident professional employer organization. However, if the state of residency of the nonresident professional employer organization imposes a greater fee for licensing nonresident applicants, the greater fee must be assessed.~~

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~~The maximum fee that may be charged is five thousand dollars for a nonresident professional employer organization five hundred dollars for a restricted license;~~

~~(d) four thousand dollars for each nonresident professional employer organization group. However, if the state of residency of the nonresident professional employer organization group imposes a greater fee for licensing nonresident applicants, the greater fee must be assessed. The maximum fee that may be charged is ten thousand dollars for each nonresident professional employer organization group four hundred dollars for a de minimis operations license;~~

~~(2) for initial license, in the second year of the biennium:~~

~~(a) one thousand dollars for each ~~resident~~ professional employer organization;~~

~~(b) ~~three~~ four thousand five hundred dollars for each ~~resident~~ professional employer organization group;~~

~~(c) one thousand dollars for a nonresident professional employer organization. However, if the state of residency of the nonresident professional employer organization imposes a greater fee for licensing nonresident applicants, the greater fee must be assessed. The maximum fee that may be charged is two thousand five hundred dollars for a nonresident professional employer organization five hundred dollars for a restricted license;~~

~~(d) three thousand five hundred dollars for each nonresident professional employer organization group. However, if the state of residency of the nonresident professional employer organization group imposes a greater fee for licensing nonresident applicants, the greater fee must be assessed. The maximum fee that may be charged is five thousand dollars for each nonresident professional employer organization group four hundred dollars for a de minimis operations license;~~

~~(3) for renewal licenses:~~

~~(a) fifteen hundred dollars for a professional employer organization;~~

~~(b) three thousand dollars for a professional employer organization group;~~

~~(c) fifteen hundred dollars for a nonresident professional employer organization. However, if the state of residency of the nonresident leasing company imposes a greater fee for licensing nonresident applicants, the greater fee must be assessed. The maximum fee that may be charged is three thousand seven hundred~~

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~~fifty dollars for a nonresident professional employer organization~~ five hundred dollars for a restricted license;

~~(d) three thousand dollars for each nonresident professional employer organization group. However, if the state of residency of the nonresident professional employer organization group imposes a greater fee for licensing nonresident applicants, the greater fee must be assessed. The maximum fee that may be charged is seven thousand five hundred dollars for each nonresident professional employer organization group~~ four hundred dollars for a de minimis operation license. /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT 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.

S. 484--Ordered to a Third Reading

On motion of Senator SHEHEEN, S. 484 was ordered to receive a third reading on Friday, May 1, 2009.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 481 -- Senators Lourie, Reese and Massey: A JOINT RESOLUTION TO CREATE THE SOUTH CAROLINA CERTIFIED ATHLETIC TRAINERS FOUNDATION TO ENCOURAGE AND ASSIST THE LOCAL SCHOOL DISTRICTS AND SCHOOLS IN ENSURING THAT A CERTIFIED ATHLETIC TRAINER IS ON STAFF AT EACH HIGH SCHOOL AND MIDDLE SCHOOL OF THIS STATE.

Senator LOURIE asked unanimous consent to take the Joint Resolution up for immediate consideration.

There was no objection.

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

[SJ]

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The Committee on Education proposed the following amendment (481R003.JL), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking lines 37-41 and inserting:

/ SECTION 1.(A) There is established the South Carolina Certified Athletic Trainers Foundation. This foundation shall encourage and assist local public school districts and public schools in ensuring that a certified athletic trainer is on staff at each high school and middle school of this State. /

Amend the joint resolution, as and if amended, page 2, by striking lines 15-17 and inserting:

/ Education and Public Works Committee;

(8) one member appointed by the South Carolina School Boards Association; and

(9) the Superintendent of Education, or his designee, to serve ex officio. /

Amend the joint resolution as and if amended, page 2, by striking lines 34-39 and inserting:

/ (H) Funds received by the foundation shall be distributed to public middle and high schools throughout South Carolina as grants, in a manner which fulfills the charge in subsection (A) of this section. The foundation shall create guidelines to govern the selection of public schools to receive grants and the distribution of grant funds. /

Renumber sections to conform.

Amend title to conform.

Senator LOURIE explained the committee amendment.

The committee amendment was adopted.

Senator LOURIE explained the Bill.

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

S. 481--Ordered to a Third Reading

On motion of Senator LOURIE, S. 481 was ordered to receive a third reading on Friday, May 1, 2009.

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**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3562 -- Reps. Brady and Sandifer: A BILL TO AMEND SECTION 38-1-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38 PERTAINING TO INSURANCE, SO AS TO ADD THE DEFINITIONS OF "GENERAL APPOINTMENT", "LOCAL APPOINTMENT", "SPECIAL APPOINTMENT", "CROP INSURANCE", AND "TRAVEL INSURANCE", CORRECT ARCHAIC LANGUAGE, AND MAKE CONFORMING AMENDMENTS; TO AMEND SECTION 38-39-20, RELATING TO PREMIUM SERVICE COMPANIES, SO AS TO PROVIDE THAT THE FEE FOR LICENSURE TO ENGAGE IN SERVICING INSURANCE PREMIUMS IN THIS STATE IS DUE ON A BIENNIAL BASIS RATHER THAN ON AN ANNUAL BASIS; TO AMEND SECTION 38-43-80, AS AMENDED, RELATING TO LICENSE FEES FOR INSURANCE PRODUCERS AND AGENCIES, SO AS TO PROVIDE FOR A BIENNIAL PRODUCER LICENSE RENEWAL FEE OF TWENTY-FIVE DOLLARS, INCREASE THE INITIAL PRODUCER LICENSE RENEWAL FEE FROM TWENTY DOLLARS TO TWENTY-FIVE DOLLARS, AND PROVIDE FOR THE REQUIREMENTS RELATING TO THE PAYMENT OF APPOINTMENT FEES; TO AMEND SECTION 38-43-106, AS AMENDED, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR INSURANCE PRODUCERS, SO AS TO PROVIDE THAT THE BIENNIAL COMPLIANCE PERIOD IS BASED ON THE LICENSEE'S MONTH AND YEAR OF BIRTH; TO AMEND SECTION 38-43-110, AS AMENDED, RELATING TO THE DURATION OF AN INSURANCE PRODUCER'S LICENSE, SO AS TO PROVIDE THAT INDIVIDUAL LICENSES MUST BE RENEWED BIENNIALY BASED ON THE LICENSEE'S MONTH AND YEAR OF BIRTH AND PROVIDE FOR THE REQUIREMENTS RELATING TO RENEWAL; TO AMEND SECTION 38-43-200, AS AMENDED, RELATING TO THE PROHIBITION ON SPLITTING COMMISSIONS WITH AN UNLICENSED PERSON BY AN INSURANCE PRODUCER, SO AS TO DELETE THE EXISTING PROVISIONS AND PROVIDE FOR THE REQUIREMENTS RELATING TO THE SPLITTING AND SHARING OF COMMISSIONS; TO AMEND SECTION 38-45-10, RELATING TO

[S.]

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THE DEFINITIONS OF AN INSURANCE BROKER, SO AS TO PROVIDE FOR THE QUALIFYING DUTIES AND PROVIDE FOR EXCEPTIONS; AND TO AMEND SECTION 38-45-20, AS AMENDED, RELATING TO THE REQUIREMENTS FOR LICENSURE AS AN INSURANCE BROKER, SO AS TO DELETE THE REQUIREMENTS THAT A BROKER HOLD AT LEAST ONE APPOINTMENT.

Senator THOMAS 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 amendment proposed by the Committee on Banking and Insurance.

The Committee on Banking and Insurance proposed the following amendment (DKA\3714DW09), which was adopted:

Amend the bill, as and if amended, Section 38-43-200(D), SECTION 6, page 15, by striking the subsection in its entirety and inserting:

/ (D)An insurer or insurance producer may pay or assign service fees or other valuable consideration to an insurance agency or to a person who does not sell, solicit, or negotiate insurance in this State, unless the payment violates another provision of Title 38. A payment made pursuant to the provisions of this subsection must not be based on completion of the sale of the insurance policy. /

Renumber sections to conform.

Amend title to conform.

Senator THOMAS explained the committee amendment.

The committee amendment was adopted.

ACTING PRESIDENT PRESIDES

At 1:20 P.M., Senator L. MARTIN assumed the Chair.

The question then was the second reading of the Bill.

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

Ayes 38; Nays 3

[SJ]

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AYES

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

Total--38

NAYS

Bright	Bryant	Mulvaney
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Total--3

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

CARRIED OVER

H. 3175 -- Reps. G.R. Smith, G.M. Smith and Bedingfield: A BILL TO AMEND SECTION 59-40-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMISSION TO A CHARTER SCHOOL, SO AS TO PROVIDE THAT ENROLLMENT PRIORITY MAY BE GIVEN TO A SIBLING OF A PUPIL ALREADY ENROLLED IN THE CHARTER SCHOOL WHO HAS ATTENDED THE SCHOOL FOR ONE YEAR OR MORE.

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

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

[SJ]

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RECALLED

H. 4000 -- Rep. Harrell: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO ARTICLE III, SECTION 9 OF THE CONSTITUTION OF THIS STATE AND SECTION 2-1-180 OF THE 1976 CODE, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 21, 2009, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET AT A TIME MUTUALLY AGREED UPON BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES NOT EARLIER THAN NOON ON TUESDAY, JUNE 16, 2009, FOR A PERIOD NOT TO EXCEED THREE STATEWIDE LEGISLATIVE DAYS FOR THE CONSIDERATION OF CERTAIN MATTERS, TO PROVIDE THAT WHEN EACH HOUSE ADJOURNS AFTER THIS THREE-DAY PERIOD NOT LATER THAN 5:00 P.M. ON THE THIRD LEGISLATIVE DAY, EACH HOUSE SHALL STAND ADJOURNED TO MEET AT A TIME MUTUALLY AGREED UPON BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES UPON CERTAIN OCCURRENCES AND FOR THE CONSIDERATION OF SPECIFIED MATTERS, AND TO PROVIDE THAT UNLESS ADJOURNED EARLIER, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE NO LATER THAN 5:00 P.M. ON MONDAY, JANUARY 11, 2010.

Senator McCONNELL moved that the Bill be recalled from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary.

MOTION ADOPTED

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

Expression of Personal Interest

Senator FORD rose for an Expression of Personal Interest.

Remarks to be Printed

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On motion of Senator FAIR, with unanimous consent, the remarks of Senator FORD, when reduced to writing and made available to the Desk, would be printed in the Journal.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 30, 2009, at 2:30 P.M. and the following Acts and Joint Resolutions were ratified:

(R22, S. 26) -- Senators Jackson and Rose: A JOINT RESOLUTION TO ESTABLISH THE STROKE SYSTEMS OF CARE STUDY COMMITTEE TO DEVELOP A PLAN FOR A STATEWIDE STROKE SYSTEM OF CARE, WHICH MUST INCLUDE, AMONG OTHER THINGS, AN URGENT RESPONSE SYSTEM, PUBLIC AWARENESS PROGRAMS FOR STROKE EDUCATION, PREVENTION, AND REHABILITATION, METHODS FOR EVALUATING THE IMPACT OF STROKES IN THIS STATE, RECOGNITION AND IMPLEMENTATION OF A STANDARDIZED STROKE TRIAGE ASSESSMENT TOOL, A STRATEGY TO REDUCE STROKE DISPARITIES AMONG MINORITIES AND UNDERSERVED POPULATIONS, POLICY CHANGES THAT MAY BE NEEDED, COORDINATION OF TREATMENT, AND DESIGNATION OF ACUTE STROKE HOSPITALS; AND TO PROVIDE THAT THE STUDY COMMITTEE IS ABOLISHED UPON SUBMISSION OF ITS REPORT TO THE GENERAL ASSEMBLY NO LATER THAN DECEMBER 1, 2010.

L:\COUNCIL\ACTS\26AC09.DOCX

(R23, S. 97) -- Senators Leventis, Land and Malloy: AN ACT TO AMEND SECTION 59-53-1410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE CENTRAL CAROLINA TECHNICAL COLLEGE COMMISSION, SO AS TO PROVIDE THAT THE COMMISSION MUST CONSIST OF ELEVEN TOTAL MEMBERS, WITH AN ADDITIONAL MEMBER APPOINTED FROM CLARENDON COUNTY AND AN ADDITIONAL MEMBER APPOINTED FROM KERSHAW COUNTY.

L:\COUNCIL\ACTS\97BH09.DOCX

THURSDAY, APRIL 30, 2009

(R24, S. 407) -- Senators Hayes, Cleary and Campsen: AN ACT TO AMEND ARTICLE 1, CHAPTER 43, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DONATION OF HUMAN BODIES, PARTS OF THE HUMAN BODY AND HUMAN TISSUE, SO AS TO CONFORM CROSS REFERENCES TO THE REVISED UNIFORM ANATOMICAL GIFT ACT, TO DELETE THE PROVISION STATING THAT A DONOR DESIGNATION ON A DRIVER'S LICENSE DOES NOT CONSTITUTE EXECUTION OF GIFT UNDER THE UNIFORM ANATOMICAL GIFT ACT; TO AMEND ARTICLE 5, CHAPTER 43, TITLE 44, RELATING TO THE UNIFORM ANATOMICAL GIFT ACT, SO AS TO CHANGE THE ACT NAME TO THE REVISED UNIFORM ANATOMICAL GIFT ACT, AND, AMONG OTHER THINGS, TO REVISE DEFINITIONS, DONOR ELIGIBILITY, DONATION AMENDMENT AND REVOCATION PROCEDURES, THE PRIORITY ORDER TO GIVE CONSENT, SUBSTITUTE DONOR PROCEDURES, DONEE QUALIFICATIONS, AND ALTERNATIVE DONEE PROCEDURES; TO ESTABLISH PROCEDURES FOR REFUSAL TO MAKE AN ANATOMICAL GIFT; TO PROVIDE THAT A PERSON WHO IS IN POSSESSION OF A DOCUMENT OF AN ANATOMICAL GIFT, OR REFUSAL OF A GIFT, SHALL SEND THE DOCUMENT TO THE HOSPITAL IF THE INDIVIDUAL EXECUTING OR REFUSING THE GIFT IS BELIEVED TO BE DECEASED OR NEAR DEATH; TO PROVIDE THAT A PROCUREMENT AGENCY RECEIVING A REFERRAL OF AN INDIVIDUAL AT OR NEAR DEATH SHALL SEARCH THE SOUTH CAROLINA ORGAN AND TISSUE DONOR REGISTRY TO ASCERTAIN IF AN ANATOMICAL GIFT WAS MADE; TO PROVIDE THAT A PHYSICIAN WHO ATTENDED A PERSON AT DEATH OR WHO DETERMINES THE TIME OF DEATH MAY NOT PARTICIPATE IN REMOVAL OR TRANSPLANTATION PROCEDURES; TO ESTABLISH CRIMINAL PENALTIES FOR SELLING OR PURCHASING ORGANS AND FOR OBTAINING FINANCIAL GAIN BY FALSIFYING OR DEFACING A DONATION DOCUMENT; TO ESTABLISH CRITERIA FOR THE VALIDITY OF AN ORGAN DONATION; TO ESTABLISH PROCEDURES TO RESOLVE ISSUES WHEN CERTAIN CONFLICTS EXIST BETWEEN A DECLARATION OF AN ORGAN DONATION AND THE MEDICAL SUITABILITY OF THE

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ORGAN DONATION; TO REQUIRE CORONERS TO COOPERATE WITH PROCUREMENT ORGANIZATIONS TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS AND TO PROVIDE THAT A BODY PART MAY NOT BE REMOVED DURING A POST-MORTEM EXAMINATION FOR TRANSPLANTATION, THERAPY, RESEARCH, OR EDUCATION UNLESS THE PART IS THE SUBJECT OF AN ANATOMICAL GIFT; AND TO AMEND ARTICLE 11, CHAPTER 43, TITLE 44, RELATING TO HOSPITAL POLICY AND PROTOCOL FOR ORGAN AND TISSUE DONATION, SO AS TO REVISE DEFINITIONS AND PROCEDURES FOR CONTACTING PERSONS AUTHORIZED TO CONSENT TO ORGAN DONATION.
L:\COUNCIL\ACTS\407AC09.DOCX

(R25, S. 420) -- Senators Knotts, Land, Coleman, Setzler, McConnell, Leatherman, Courson, Thomas and Rose: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4975 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR CERTAIN PERSONS TO OPERATE A VEHICLE THAT IS UPFITTED AS AN AMBULANCE OR NO LONGER PERMITTED AND LICENSED AS AN AMBULANCE UNLESS CERTAIN EXTERIOR ITEMS THAT DISTINGUISH IT AS AN AMBULANCE ARE REMOVED, TO PROVIDE PENALTIES FOR VARIOUS VIOLATIONS OF THIS PROVISION.
L:\COUNCIL\ACTS\420CM09.DOCX

(R26, S. 540) -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY THE STUDENTS OF THE SCHOOL DISTRICT OF OCONEE COUNTY 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.
L:\COUNCIL\ACTS\540BH09.DOCX

(R27, S. 620) -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSIONERS OF PILOTAGE, RELATING TO ENFORCEMENT OF PILOT STATUTES AND MARITIME HOMELAND SECURITY, DESIGNATED AS REGULATION

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DOCUMENT NUMBER 4053, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
L:\COUNCIL\ACTS\620AC09.DOCX

(R28, S. 698) -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO LIGHT BROWN APPLE MOTH QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4052, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
L:\COUNCIL\ACTS\698AC09.DOCX

(R29, S. 703) -- Senators S. Martin, Bright, Reese and Peeler: AN ACT TO AMEND ACT 612 OF 1984, AS AMENDED, RELATING TO THE METHOD OF CONDUCTING ELECTIONS FOR MEMBERS OF THE SCHOOL 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 AN AT-LARGE CANDIDATE ON THE BALLOT AND TO PROVIDE FOR THE MANNER IN WHICH A SCHOOL DISTRICT BOARD OF TRUSTEE CANDIDATE FROM A SINGLE-MEMBER DISTRICT IN ONE OF SPARTANBURG COUNTY'S SCHOOL DISTRICTS MAY PLACE HIS NAME ON THE BALLOT.
L:\COUNCIL\ACTS\703DW09.DOCX

(R30, H. 3121) -- Reps. J.E. Smith, E.H. Pitts, T.R. Young, Hutto, M.A. Pitts, Allison and Parker: AN ACT 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 OR A GROUP OF INDIVIDUALS TRAVELING IN ONE VEHICLE TO REMOVE, OR ATTEMPT TO REMOVE, FROM THIS STATE MORE THAN A SPECIFIED NUMBER OF CERTAIN NAMED SPECIES OF TURTLES, TO PROVIDE EXCEPTIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.
L:\COUNCIL\ACTS\3121SD09.DOCX

(R31, H. 3203) -- Reps. Brady, Harrison, J.E. Smith, Battle and Simrill: AN ACT TO AMEND ARTICLE 4, CHAPTER 56, TITLE 44

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OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DRYCLEANING FACILITY RESTORATION TRUST FUND, SO AS TO, AMONG OTHER THINGS, FURTHER SPECIFY THAT WHOLESALE DRYCLEANING FACILITIES ARE SUBJECT TO THE PROVISIONS OF THIS ARTICLE AND ARE ELIGIBLE TO SEEK RESTORATION ASSISTANCE UNDER THIS ARTICLE; TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO USE FUNDS, OTHER THAN FUNDS FROM THE DRYCLEANING FACILITY RESTORATION TRUST FUND, IF AN EMERGENCY EXISTS AND FUNDS ARE NOT AVAILABLE FROM THE TRUST FUND AND TO FURTHER PROVIDE THAT THESE FUNDS MUST BE REPAYED FROM THE TRUST FUND; TO PROVIDE EXEMPTIONS FROM THE ENVIRONMENTAL SURCHARGE IMPOSED ON THE GROSS PROCEEDS OF SALES OF RETAIL DRYCLEANING FACILITIES, INCLUDING AN EXEMPTION FOR WHOLESALE SALES OF DRYCLEANING SERVICES; TO FURTHER PROVIDE FOR ELIGIBILITY REQUIREMENTS AND PROCEDURES FOR REQUESTING AND ISSUING RESTORATION ASSISTANCE, INCLUDING PROVIDING CRITERIA FOR DEDUCTIBLES AND CONDUCTING SECONDARY ASSESSMENTS; TO PROVIDE INITIAL AND ANNUAL REGISTRATION FEES FOR DRYCLEANING FACILITIES ESTABLISHED AFTER OCTOBER 1, 1995, AND TO AUTHORIZE THE PROPERTY OWNER TO REGISTER A FACILITY IF THE OWNER OR OPERATOR OF THE FACILITY DOES NOT; TO PROVIDE FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION, TO REQUIRE PRESENTATION OF CERTIFICATES IN ORDER TO PURCHASE DRYCLEANING SOLVENT, TO PROHIBIT A SUPPLY FACILITY, OR OTHER DRYCLEANING FACILITY, FROM SELLING DRYCLEANING SOLVENT TO A DRYCLEANING FACILITY IF THE FACILITY DOES NOT POSSESS A CERTIFICATE, AND TO PROVIDE CIVIL PENALTIES FOR VIOLATIONS; TO SPECIFY REQUIREMENTS FOR A DRYCLEANING FACILITY EXEMPTION CERTIFICATE; TO AUTHORIZE A DRYCLEANING FACILITY PREVIOUSLY REGISTERED UNDER THIS ARTICLE TO OPT OUT IF THE FACILITY HAS BEEN IN OPERATION BEFORE JANUARY 1, 1940, AND ONLY HAS USED NONHALOGENATED CLEANERS; AND TO REVISE THE MEMBERSHIP OF THE DRYCLEANING ADVISORY COUNCIL.

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L:\COUNCIL\ACTS\3203AC09.DOCX

(R32, H. 3299) -- Reps. 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: AN ACT 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", AND TO PROVIDE FOR THE CONTINUED REGULATION BY THE PUBLIC SERVICE COMMISSION OF CERTAIN LOCAL EXCHANGE CARRIERS WHEN PROVIDING CERTAIN TELECOM SERVICES, AND TO ALLOW OTHER LOCAL EXCHANGE CARRIERS TO OPT OUT OF REGULATION WHEN PROVIDING CERTAIN SERVICES.

L:\COUNCIL\ACTS\3299DW09.DOCX

(R33, H. 3378) -- Rep. Cooper: AN ACT 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, TO REQUIRE CERTAIN CONSULTATION AND GUIDANCE SERVICES BY THE OFFICE OF HUMAN RESOURCES OF THE STATE BUDGET AND CONTROL BOARD, AND TO DELETE THE PROVISIONS OF PARAGRAPH 89.120, PART IB, OF ACT 310 OF 2008, RELATING TO STATE AGENCY FURLOUGHS.

L:\COUNCIL\ACTS\3378SD09.DOCX

(R34, H. 3380) -- Rep. Funderburk: AN ACT 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

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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.

L:\COUNCIL\ACTS\3380DW09.DOCX

(R35, H. 3428) -- Reps. Harrell, Cooper and Ott: AN ACT 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 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

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COPIES PROVIDED OF THE ACTS AND JOINT RESOLUTIONS,
THE CODE, AND THE REPORTS OF THE SUPREME COURT.
L:\COUNCIL\ACTS\3428AHB09.DOCX

(R36, H. 3452) -- Reps. Bannister, Bales, Crawford, Limehouse, G.M. Smith, J.E. Smith and Frye: AN ACT TO AMEND SUBARTICLE 11, ARTICLE 3, CHAPTER 6, TITLE 61, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGULATION OF MANUFACTURERS OF ALCOHOLIC LIQUORS, SO AS TO AUTHORIZE THE ESTABLISHMENT OF MICRO-DISTILLERIES OF ALCOHOLIC LIQUORS, TO SET FORTH REGULATIONS AND LIMITATIONS OF THE MICRO-DISTILLERIES, TO PROVIDE FOR BIENNIAL LICENSES AND FEES FOR MANUFACTURERS AND MICRO-DISTILLERIES OF ALCOHOLIC LIQUORS, TO PROVIDE PROCEDURES FOR TASTINGS AT MANUFACTURERS AND MICRO-DISTILLERIES OF ALCOHOLIC LIQUORS, TO PROVIDE FOR LIMITED RETAIL SALE AT MICRO-DISTILLERIES OF THEIR PRODUCTS, AND TO PROVIDE PENALTIES FOR VIOLATIONS; AND TO AMEND SECTION 12-33-210, AS AMENDED, RELATING TO TAXES ON LICENSES GRANTED PURSUANT TO THE ALCOHOLIC BEVERAGE CONTROL ACT, SO AS TO INCREASE THE MANUFACTURER LICENSE FEE AND ADD A LICENSE FEE FOR A MICRO-DISTILLERY.
L:\COUNCIL\ACTS\3452AHB09.DOCX

(R37, H. 3589) -- Reps. White, Bowen, Thompson, Cooper and Gambrell: AN ACT TO AMEND ACT 269 OF 1989, AS AMENDED, RELATING TO ANDERSON COUNTY SCHOOL DISTRICT BUDGETS AND TAX MILLAGES, SO AS TO PROVIDE THAT THE BUDGET THAT A SCHOOL DISTRICT IN ANDERSON COUNTY MUST PROVIDE TO THE ANDERSON COUNTY BOARD OF EDUCATION MUST REFLECT ON A LINE ITEM BASIS THE MANNER IN WHICH ALL FUNDS IN THE BUDGET MUST BE EXPENDED DURING THE FISCAL YEAR, AND TO REQUIRE THE COUNTY BOARD TO OBTAIN FROM EACH SCHOOL DISTRICT AND POST ON THE COUNTY BOARD WEBSITE THE COMPENSATION OF ALL DISTRICT ADMINISTRATIVE EMPLOYEES RECEIVING COMPENSATION OF MORE THAN FIFTY THOUSAND DOLLARS ANNUALLY.

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(R38, H. 3627) -- Reps. Miller and Anderson: AN ACT 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.

L:\COUNCIL\ACTS\3627SD09.DOCX

(R39, H. 3635) -- Rep. Hodges: AN ACT 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 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

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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.

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(R40, H. 3721) -- Rep. Kirsh: AN ACT TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2008; TO AMEND SECTION 12-6-50, AS AMENDED, RELATING TO INTERNAL REVENUE CODE SECTIONS NOT ADOPTED BY STATE LAW, SO AS TO MAKE ADDITIONS; AND TO PROVIDE THAT A TAXPAYER WHO FOLLOWS SECTION 3094 OF THE FEDERAL HOUSING ECONOMIC RECOVERY ACT OF 2008, FOR SOUTH CAROLINA PURPOSES MUST NOT BE PENALIZED.

L:\COUNCIL\ACTS\3721MM09.DOCX

(R41, H. 3776) -- Reps. A.D. Young, Harrell, Horne and Knight: AN ACT 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.

L:\COUNCIL\ACTS\3776DW09.DOCX

(R42, H. 3818) -- Reps. Funderburk, Gunn and Lucas: AN ACT TO PROVIDE THAT ON THE EFFECTIVE DATE OF THIS ACT, THE NAME OF THE KERSHAW COUNTY MEDICAL CENTER IS HEREBY CHANGED TO KERSHAWHEALTH.

L:\COUNCIL\ACTS\3818SD09.DOCX

(R43, H. 3856) -- Reps. Umphlett, Battle, Hardwick, Clemmons and Knight: AN ACT TO AMEND SECTION 51-17-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITATIONS ON

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DISPOSITION OF HERITAGE TRUST PROPERTY, SO AS TO EXCLUDE PUBLIC INFRASTRUCTURE PROJECTS FROM THE LIMITATION.

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LOCAL APPOINTMENTS

Confirmations

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

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

Rad Stuart Deaton, 2170 Ashley Phosphate Road, North Charleston, SC 29406 *VICE* Harry Lee Wright

Initial Appointment, Marion County Magistrate, with the term to commence April 30, 2006, and to expire April 30, 2010

Carolyn H. Donnelly-Gause, 908 Fleetwood Dr., Mullins, SC 29574 *VICE* Regina G. Bristow

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

Jimmy Dean Crocker, 210 West Main Street, Union, SC 29379

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

William E. Goodwin, 210 West Main Street, Union, SC 29379

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

James A. Cox, 1009 Old County Home Road, P.O. Box 8002, Anderson, SC 29622

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

William G. Bates, P. O. Box 824, Pelzer, SC 29669

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

James T. Busby, Jr., 107 South Main Street, 2nd Floor, P. O. Box 8002, Anderson, SC 29622

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

Sherry E. Mattison, P. O. Box 828, Belton, SC 29627

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

Jacquelyn G. Jenkins, P. O. Box 697, St. George, SC 29477

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

Katrina L. Patton, 117 Colleton Avenue, Summerville, SC 29483

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

Gary L. Cook, 4138 Club Course Drive, North Charleston, SC 29420

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

Maite Murphy, 167 Oak Bluff Road, Summerville, SC 29485 *VICE*
Penny Merriman

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

Peter Brandt Shelbourne, 116 South Oak Street, Summerville, SC 29483

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

Myron D. Johnson, 400 Shaftesbury Lane, Summerville, SC 29485

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

Arthur Tuggle Bryngelson, Jr., 308 Tuggle Lane, Givhans, SC 29472-8724 *VICE* James H. Messervy

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

Frederick J. Newton, 400 Lakeview Drive, Summerville, SC 29485
VICE Michael T. Londergan, Mark A. Leiendecker

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

Janice Y. Simmons, 262 Mallard Road, Summerville, SC 29483

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

Harold Whitney Smith, 174 Tom Kelly Circle, Carlisle, SC 29031

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

Jeffrey Dean Bailey, 210 West Main Street, Union, SC 29379

ADJOURNMENT

At 2:45 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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