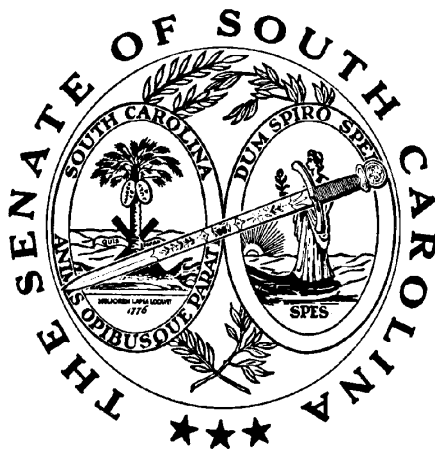


NO. 57

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



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

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**TUESDAY, MAY 5, 2009**

**Tuesday, May 5, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

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

The proceedings were opened with a devotion by the Chaplain as follows:

Paul writes:

“If I speak in the tongues of mortals and of angels, but do not have love, I am a noisy gong or a clanging cymbal.” (I Corinthians 13:1)

Let us pray:

O God of Grace, never allow any of us to forget to care—and to care lovingly—about the people of South Carolina. Projects, budgets, taxation—these matters will never cease to be important. The leaders of this Senate understand all of that. But they also know about the heartfelt needs of the women and men and young people and children whom they are called to represent. Help us all to maintain a proper focus, dear Lord: to act always upon our love for the people of this State. In Your name we pray, O Lord.

Amen.

**CORRECTION TO THE JOURNAL**

The following entry regarding S. 268 was inadvertently omitted from the Journal of Thursday, April 30, 2009:

**CONCURRENCE**

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

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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.

\* \* \*

**CORRECTION TO THE JOURNAL**

In the election to the Board of Trustees for South Carolina State University, 6<sup>th</sup> District, Seat #6, the Journal of April 29, 2009, incorrectly reflected that Senator RYBERG voted for Mr. Washington. Senator RYBERG did not vote in this race. However, Senator ROSE did cast his vote in favor of Mr. Washington as reflected below.

**Election to the Board of Trustees for  
South Carolina State University, Sixth District, Seat #6**

The PRESIDENT announced that nominations were in order to elect a successor to the Board of Trustees for South Carolina State University, Sixth District, Seat #6.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Maurice G. Washington and Ms. Patricia Lott had been screened and found qualified to serve.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Mr. Washington:

Alexander	Bright	Bryant
Campbell	Campsen	Cleary
Cromer	Davis	Elliott
Fair	Ford	Grooms
Jackson	Knotts	Malloy
<i>Martin, S.</i>	Massey	McConnell
Peeler	Rose	Shoopman
Thomas	Williams	

**Total--23**

The following named Senators voted for Ms. Lott:

Anderson	Coleman	Courson
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Hayes	Hutto	Land
Leatherman	Leventis	Lourie
<i>Martin, L.</i>	Matthews	McGill
Nicholson	O'Dell	Rankin
Reese	Scott	Setzler
Sheheen	Verdin	

**Total--20**

On motion of Senator KNOTTS, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Mr. Washington:

Agnew	Allison	Barfield
Bedingfield	Bingham	Bowen
Brady	R. L. Brown	Cato
Chalk	Clemmons	Cole
Crawford	Daning	Delleney
Duncan	Erickson	Frye
Gambrell	Gilliard	Gullick
Haley	Hamilton	Harrell
Harrison	Herbkersman	Horne
Jefferson	King	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	McEachern
Millwood	Moss	Nanney
Owens	Parker	M. A. Pitts
Rice	Rutherford	Scott
Simrill	D. C. Smith	G. R. Smith
J. R. Smith	Sottile	Stavrinakis
Stewart	Thompson	Umphlett
Williams	Willis	Wylie
A. D. Young	T. R. Young	

**Total--59**

The following named Representatives voted for Ms. Lott:

Allen	Anderson	Anthony
Bales	Ballentine	Bannister
Battle	Bowers	Branham

**TUESDAY, MAY 5, 2009**

Brantley	G. A. Brown	H. B. Brown
Clyburn	Cobb-Hunter	Dillard
Edge	Forrester	Funderburk
Govan	Gunn	Hardwick
Hart	Harvin	Hayes
Hearn	Hiott	Hodges
Hosey	Howard	Huggins
Jennings	Kelly	Kennedy
Kirsh	Knight	Mack
McLeod	Merrill	Miller
J. H. Neal	J. M. Neal	Neilson
Ott	Parks	E. H. Pitts
Sandifer	Sellers	Skelton
J. E. Smith	Spires	Toole
Vick	Viers	Weeks
White	Whitmire	

**Total--56**

**RECAPITULATION**

Total number of Senators voting .....	43
Total number of Representatives voting.....	<u>115</u>
Grand Total.....	158
Necessary to a choice .....	80
Of which Mr. Washington received.....	82
Of which Ms. Lott received .....	76

Whereupon, the PRESIDENT announced that the Honorable Maurice G. Washington was elected to a position on the Board of Trustees for South Carolina State University, Sixth District, Seat #6 for the term prescribed by law.

\* \* \*

**Point of Quorum**

At 12:06 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

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

A quorum being present, the Senate resumed.

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

**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 May 5, 2009

**Doctor of the Day**

Senator FORD introduced Dr. Alexander Ramsay of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

At 1:13 P.M., Senator SHEHEEN requested a leave of absence for Wednesday, May 6, 2009.

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**CO-SPONSORS ADDED**

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

S. 417      Sen. O'Dell

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 778 -- Senator McConnell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT LEROY BOWMAN OF THE UNITED STATES ARMY FOR HIS MANY YEARS OF OUTSTANDING MILITARY SERVICE, AND TO DECLARE MAY 16, 2009, AS "MILITARY WAR VETERANS DAY" IN THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 779 -- Senator McConnell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT COLONEL SPANN WATSON OF THE UNITED STATES AIR FORCE FOR HIS MANY YEARS OF OUTSTANDING MILITARY SERVICE, AND TO DECLARE MAY 16, 2009, AS "MILITARY WAR VETERANS DAY" IN THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 780 -- Senator McConnell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MASTER SERGEANT WILLIAM T. "BILL" SIMMONS OF THE UNITED STATES AIR FORCE FOR HIS TWENTY YEARS OF OUTSTANDING MILITARY SERVICE, AND TO DECLARE MAY 16, 2009, AS "MILITARY WAR VETERANS DAY" IN THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 781 -- Senator McConnell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR FIRST LIEUTENANT LESTER E. PHILLIPS III OF THE UNITED STATES ARMY FOR HIS MORE THAN THIRTY YEARS OF OUTSTANDING MILITARY SERVICE, AND TO DECLARE MAY 16, 2009, AS "MILITARY WAR VETERANS" DAY IN THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 782 -- Senator Peeler: A SENATE RESOLUTION TO JOIN CAROLINA HOME HEALTH CARE IN GAFFNEY, SOUTH CAROLINA, IN RECOGNIZING ITS STAFF ON MAY 6, 2009, HEART OF GENTIVA DAY.

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The Senate Resolution was adopted.

S. 783 -- Senator McConnell: A BILL TO AMEND SECTION 51-13-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE GOVERNING BOARD OF THE PATRIOTS POINT DEVELOPMENT AUTHORITY, SO AS TO PROVIDE FOR THREE ADDITIONAL MEMBERS OF THE BOARD AND THE MANNER OF THEIR TERMS AND APPOINTMENT.

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

S. 784 -- Senator Williams: A SENATE RESOLUTION TO HONOR FRANK M. HART AND TO CONGRATULATE HIM UPON HIS RETIREMENT FROM THE MARION COUNTY BOARD OF EDUCATION.

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The Senate Resolution was adopted.

S. 785 -- Senator Scott: A SENATE RESOLUTION TO HONOR MRS. DOROTHY MCQUILLER GORDON OF RICHLAND COUNTY ON THE OCCASION OF MOTHER'S DAY, AND TO WISH HER A JOYOUS CELEBRATION AND MANY MORE YEARS OF HEALTH AND HAPPINESS.

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The Senate Resolution was adopted.

S. 786 -- Senator Scott: A SENATE RESOLUTION TO CONGRATULATE MRS. BERNICE SKINNER OF COLUMBIA ON THE OCCASION OF HER NINETIETH BIRTHDAY, AND TO

[SJ]

**TUESDAY, MAY 5, 2009**

WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HEALTH AND HAPPINESS IN THE DAYS TO COME.

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The Senate Resolution was adopted.

H. 3297 -- Reps. Sellers, E. H. Pitts, Brady, Hutto and Bowers: A BILL TO AMEND SECTION 59-10-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SNACKS SOLD FOR STUDENT CONSUMPTION IN SCHOOLS, SO AS TO PROVIDE FOR FAT, CALORIE, AND SUGAR CONTENT STANDARDS THAT SNACK FOOD AND BEVERAGES MUST MEET IN ORDER TO BE SOLD IN SCHOOLS; AND BY ADDING SECTION 59-10-345 SO AS TO PROVIDE THAT ELEMENTARY SCHOOLS MAY OFFER ONLY FULL MEALS FOR STUDENT CONSUMPTION, AND TO PROVIDE FOR FAT, CALORIE, AND SUGAR CONTENT STANDARDS THAT FOODS AND BEVERAGES MUST MEET IN ORDER TO BE SOLD IN SCHOOLS.

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

H. 3530 -- Reps. Bannister, Brantley, Simrill, Anthony, Vick, H. B. Brown, Brady, Funderburk, Gambrell, Hardwick, Horne, Knight, Miller, E. H. Pitts, Viers, A. D. Young, Wylie, Branham, Gullick and J. M. Neal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-15-361, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY IMPOSE AND COLLECT AN ADMINISTRATIVE FINE AGAINST LICENSED MOTOR VEHICLE DEALERS WHO VIOLATE CERTAIN PROVISIONS OF LAW, AND PROVIDE THAT THE DEPARTMENT SHALL EMPLOY THE STAFF NECESSARY TO ENFORCE THE PROVISIONS CONTAINED IN THIS SECTION.

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

H. 3651 -- Reps. Duncan, Umphlett, Anthony, Knight, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-23-205 SO AS TO LIMIT THE AUTHORITY OF COUNTIES AND MUNICIPALITIES TO RESTRICT OR REGULATE CERTAIN FORESTRY ACTIVITIES, AND TO PROVIDE THE TERMS AND CONDITIONS OF CERTAIN PERMITTED REGULATIONS.

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

H. 3677 -- Rep. Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "VIOLENCE AGAINST WOMEN FEDERAL COMPLIANCE ACT" TO CONFORM STATE LAW TO FEDERAL REQUIREMENTS BY AMENDING SECTION 16-3-740 RELATING TO TESTING CERTAIN CRIMINALS FOR HEPATITIS B AND THE HUMAN IMMUNODEFICIENCY VIRUS AT THE REQUEST OF A VICTIM, SO AS TO REVISE THE DEFINITION OF "OFFENDER" TO INCLUDE ADULTS AND JUVENILES, TO CLARIFY PROCEDURES FOR DISCLOSING TEST RESULTS, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL ADVISE THE VICTIM OF AVAILABLE TREATMENT OPTIONS, AND UPON REQUEST OF THE VICTIM PROVIDE TESTING AND POST-TESTING COUNSELING; BY ADDING SECTION 16-3-750 SO AS TO PROHIBIT LAW ENFORCEMENT AND PROSECUTING OFFICERS FROM ASKING OR REQUIRING A VICTIM OF AN ALLEGED CRIMINAL SEXUAL CONDUCT OFFENSE TO SUBMIT TO A POLYGRAPH EXAMINATION AND TO PROVIDE THAT REFUSAL OF A VICTIM TO SUBMIT TO SUCH AN EXAMINATION DOES NOT PREVENT THE INVESTIGATION, CHARGING, OR PROSECUTION OF THE OFFENSE; TO AMEND SECTION 16-3-1350 RELATING TO MEDICOLEGAL EXAMINATIONS FOR VICTIMS OF CRIMINAL SEXUAL CONDUCT OR CHILD SEX ABUSE, SO AS TO DELETE THE PROVISION REQUIRING SUCH A VICTIM TO FILE AN INCIDENT REPORT WITH A LAW ENFORCEMENT AGENCY IN ORDER TO RECEIVE A MEDICOLEGAL EXAMINATION WITHOUT CHARGE; TO AMEND SECTION 16-3-177, AS AMENDED, RELATING TO THE FORM AND CONTENT OF A RESTRAINING ORDER, SO AS TO PROVIDE CIRCUMSTANCES UNDER WHICH A PERSON SUBJECT TO A RESTRAINING ORDER MAY NOT SHIP, TRANSPORT, OR POSSESS A FIREARM; BY ADDING SECTION 16-25-30 SO AS TO PROVIDE THAT A PERSON CONVICTED OF CRIMINAL DOMESTIC VIOLENCE OR CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE MUST BE NOTIFIED IN

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WRITING THAT IT IS UNLAWFUL FOR SUCH A DEFENDANT TO SHIP, TRANSPORT, OR POSSESS A FIREARM; AND TO AMEND SECTION 20-4-60, AS AMENDED, RELATING TO THE FORM AND CONTENT OF AN ORDER OF PROTECTION FROM DOMESTIC VIOLENCE, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON SUBJECT TO AN ORDER OF PROTECTION TO SHIP, TRANSPORT, OR POSSESS A FIREARM.

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

H. 3707 -- Reps. T. R. Young, Cato, Cobb-Hunter, Toole, Ott, Cooper, Gambrell, Bowen, Agnew, McLeod, J. H. Neal, Gunn, Hayes, Stewart, Thompson, White, Duncan, Moss, H. B. Brown, Knight, Frye, Spires, Neilson, Vick, Hutto, Sellers and Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-41-235 SO AS TO REQUIRE MOTOR FUEL TERMINALS TO OFFER FOR SALE PRODUCTS THAT ARE SUITABLE FOR SUBSEQUENT BLENDING EITHER WITH ETHANOL OR BIODIESEL; TO PROHIBIT A PERSON OR ENTITY FROM TAKING AN ACTION TO DENY A MOTOR FUEL DISTRIBUTOR OR RETAILER FROM BEING THE BLENDER OF RECORD; TO REQUIRE MOTOR FUEL DISTRIBUTORS, RETAILERS, AND REFINERS TO UTILIZE THE RENEWABLE IDENTIFICATION NUMBER; AND TO DECLARE VIOLATIONS AN UNFAIR TRADE PRACTICE.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3790 -- Rep. Sandifer: 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

[SJ]

**TUESDAY, MAY 5, 2009**

OF THE BOARD OF FINANCIAL INSTITUTIONS AND THROUGH CRIMINAL PENALTIES, AND TO PROVIDE FOR PARTICIPATION IN A NATIONAL MORTGAGE REGISTRY; 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.

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

H. 3814 -- Reps. Allison, Cole, Forrester, Kelly and Parker: A JOINT RESOLUTION TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO DESIGN AND IMPLEMENT A

[SJ]

**TUESDAY, MAY 5, 2009**

HIGHWAY BEAUTIFICATION PILOT PROJECT TO REDUCE THE NUMBER OF NONCONFORMING BILLBOARDS THROUGHOUT THE STATE.

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

H. 3972 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF PUBLIC SAFETY, RELATING TO CONTACT INFORMATION FROM TRAFFIC STOPS, DESIGNATED AS REGULATION DOCUMENT NUMBER 3208, 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 Transportation.

H. 3987 -- Reps. Lowe and Crawford: A BILL TO PROVIDE THAT IN FLORENCE COUNTY A PERSON MUST OBTAIN PERMISSION FROM THE GOVERNING BODY OF A HOMEOWNER'S ASSOCIATION OR A RESIDENTIAL SUBDIVISION BEFORE HE MAY DISCHARGE A FIREARM ON ANY PROPERTY OWNED BY OR UNDER THE CONTROL OF THE HOMEOWNER'S ASSOCIATION OR THE RESIDENTIAL SUBDIVISION, TO PROVIDE A FINE FOR THE VIOLATION OF THE SECTION, AND TO PROVIDE THAT A FINE MAY NOT BE IMPOSED UPON A PERSON WHOSE DISCHARGE OF A FIREARM IS COVERED BY A LEGAL DEFENSE.

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

H. 4008 -- Reps. Funderburk, 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, 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,

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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 DESIGNATE THE MONTH OF NOVEMBER 2009 AS "EPILEPSY AWARENESS MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE COMMUNITY AWARENESS AND UNDERSTANDING OF EPILEPSY.

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

H. 4010 -- Reps. Bowers, R. L. Brown, Hodges and McLeod: 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.

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

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

##### **Invitation Accepted**

The following invitation was polled favorably from the Invitations Committee and the members voting as follows:

##### **Poll of the Invitations Committee**

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

<b>AYES</b>		
Alexander	Campsen	Cromer
Elliott	Ford	Knotts
Malloy	McGill	O'Dell
Reese	Verdin	

**Total-- 11**

**NAYS**

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**Total-- 0**

Tuesday, May 19, 2009, 1:00 p.m. – 3:00 p.m.

Members of the Senate, clerks and attaches, Luncheon, State House Grounds, by SOUTH CAROLINA REALTORS

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable report on:

S. 168 -- Senators Cleary, Campsen, Rose, Bryant, Elliott and Hutto: A BILL TO AMEND SECTION 38-79-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL MALPRACTICE INSURANCE SO AS TO PROVIDE THAT A LICENSED HEALTH CARE PROVIDER WHO RENDERS MEDICAL SERVICES VOLUNTARILY AND WITHOUT COMPENSATION, AND SEEKS NO REIMBURSEMENT FROM CHARITABLE AND GOVERNMENTAL SOURCES, AND PROVIDES NOTICE TO THE PATIENT OR PATIENT'S PROVIDER IN A NON-EMERGENCY, IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ANY ACT OR OMISSION UNLESS THE ACT OR OMISSION WAS THE RESULT OF THE HEALTH CARE PROVIDER'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

Ordered for consideration tomorrow.

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 277 -- Senator Alexander: A BILL TO AMEND CHAPTER 15, TITLE 29 OF THE 1976 CODE OF LAWS, BY ADDING SECTION 29-15-15, TO PROVIDE THAT CERTAIN LIENS OBTAINED BY A HOMEOWNERS' ASSOCIATION AGAINST REAL PROPERTY ARE SUPERIOR TO CLAIMS OF OTHER CREDITORS.

Ordered for consideration tomorrow.

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable report on:

S. 741 -- Senator McConnell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICE OF A HEARING AS A PREREQUISITE TO GRANTING OF A RATE INCREASE, SO AS TO PROVIDE THAT A HEARING MUST BE HELD AS A PREREQUISITE TO

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**TUESDAY, MAY 5, 2009**

GRANTING ANY RATE CHANGE, WHETHER AN INCREASE OR A DECREASE.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

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.

Returned with concurrence.

Received as information.

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.

Returned with concurrence.

Received as information.

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

**ORDERED ENROLLED FOR RATIFICATION**

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

H. 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 LEVENTIS explained the Joint Resolution.

**H. 3914--Recorded Vote**

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

[SJ]

**TUESDAY, MAY 5, 2009**

**HOUSE BILL RETURNED**

The following House Bill was read the third time and ordered returned to the House with amendments:

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

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PROVISIONS AND PROVIDE FOR THE REQUIREMENTS RELATING TO THE SPLITTING AND SHARING OF COMMISSIONS; TO AMEND SECTION 38-45-10, RELATING TO 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 explained the Bill.

**H. 3562--Recorded Vote**

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

**THIRD READING BILL**

The following Bill was read the third time and ordered sent to the House of Representatives:

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.

By prior motion of Senator REESE, with unanimous consent.

**CARRIED OVER**

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

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WATER QUALITY AND OTHER ENVIRONMENTAL STANDARDS THE DEPARTMENT IS REQUIRED TO ENFORCE.

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

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CONCURRENCE**

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".

The House returned the Bill with amendments.

On motion of Senator LEVENTIS, 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.

**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. 491 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 23, TITLE 57 SO AS TO DESIGNATE CERTAIN HIGHWAYS IN WESTERN YORK COUNTY AS THE WESTERN YORK COUNTY SCENIC BYWAY, AND TO MAKE IT SUBJECT TO THE REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA SCENIC HIGHWAYS COMMITTEE.

Respectfully submitted,  
Speaker of the House

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Received as Information

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

**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. 126 -- Senators Sheheen and Elliott: A BILL TO AMEND SECTION 56-3-1910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SPECIAL LICENSE TAGS TO CERTAIN HANDICAPPED PERSONS, SO AS TO DEFINE THE TERM "HANDICAPPED", DELETE THE TERM "LICENSE TAG" AND REPLACE IT WITH THE TERM "LICENSE PLATE", AND TO REVISE THE CRITERIA FOR THE ISSUANCE OF THE LICENSE PLATE; TO AMEND SECTION 56-3-1950, RELATING TO THE DEFINITION OF THE TERM "HANDICAPPED", AND THE REQUIREMENT THAT A LICENSED PHYSICIAN SHALL CERTIFY THAT A PERSON'S TOTAL AND PERMANENT DISABILITY SUBSTANTIALLY IMPAIRS HIS ABILITY TO WALK, SO AS TO REVISE THE DEFINITION OF THE TERM "HANDICAPPED" AND TO DELETE THE PROVISION RELATING TO THE CERTIFICATION OF A PERSON WHO IS TOTALLY AND PERMANENTLY DISABLED; TO AMEND SECTION 56-3-1960, RELATING TO FREE PARKING FOR HANDICAPPED PERSONS, AND THE ISSUANCE AND DISPLAY OF HANDICAPPED LICENSE PLATES AND PLACARDS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR THE ISSUANCE OF HANDICAPPED LICENSE PLATES, AND TO REVISE THE PROVISIONS REGARDING THE CONTENT, ISSUANCE PROCEDURE, AND DISPLAY OF HANDICAPPED PLACARDS; TO AMEND SECTION 56-3-1965, RELATING TO MUNICIPALITIES DESIGNATING PARKING SPACES FOR HANDICAPPED PERSONS, SO AS TO REVISE THE PROCEDURES THAT ALLOW A HANDICAPPED PERSON TO PARK IN METERED OR TIMED PARKING PLACES WITHOUT BEING SUBJECT TO PARKING FEES OR FINES; AND TO

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AMEND SECTION 56-3-2010, RELATING TO THE ISSUANCE OF PERSONALIZED LICENSE PLATES, SO AS TO PROVIDE THAT A PERSON WHO ALSO QUALIFIES IS QUALIFIED TO RECEIVE THIS LICENSE PLATE AND A HANDICAPPED LICENSE PLATE MAY BE ISSUED A PERSONALIZED LICENSE PLATE THAT INCLUDES A DECAL THAT CONTAINS THE INTERNATIONAL SYMBOL OF ACCESS.

Respectfully submitted,  
Speaker of the House  
Received as Information

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

**THE SENATE PROCEEDED TO A CONSIDERATION OF  
H. 4000, THE SINE DIE ADJOURNMENT RESOLUTION**

**CARRIED OVER**

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

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ASSEMBLY SHALL STAND ADJOURNED SINE DIE NO LATER THAN 5:00 P.M. ON MONDAY, JANUARY 11, 2010.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of the Resolution.

On motion of Senator L. MARTIN, the Concurrent Resolution was carried over.

**THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**RECALLED**

H. 3530 -- Reps. Bannister, Brantley, Simrill, Anthony, Vick, H.B. Brown, Brady, Funderburk, Gambrell, Hardwick, Horne, Knight, Miller, E.H. Pitts, Viers, A.D. Young, Wylie, Branham, Gullick and J.M. Neal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-15-361 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY IMPOSE AND COLLECT AN ADMINISTRATIVE FINE AGAINST LICENSED MOTOR VEHICLE DEALERS WHO VIOLATE CERTAIN PROVISIONS OF LAW, AND PROVIDE THAT THE DEPARTMENT SHALL EMPLOY THE STAFF NECESSARY TO ENFORCE THE PROVISIONS CONTAINED IN THIS SECTION.

Senator SHEHEEN moved that the Bill be recalled from the Committee on Transportation.

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

**COMMITTED**

H. 3872 -- Reps. Cato, Bannister, Wylie, Loftis, Bedingfield, Allen, Stringer, Nanney, Dillard, Hamilton, Rice, G.R. Smith and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 26 TO CHAPTER 53, TITLE 59 SO AS TO ENACT THE "GREENVILLE TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY ACT", AND TO PROVIDE FOR THE POWERS AND DUTIES OF THE GREENVILLE TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.

Senator FAIR moved to commit the Bill to the Committee on Education.

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The Bill was committed to the Committee on Education.

**MOTION ADOPTED**

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

**THE SENATE PROCEEDED TO THE ADJOURNED DEBATE.**

**CARRIED OVER**

S. 577 -- Senators Leatherman, Land, Setzler, Malloy, McGill, O'Dell, Reese, Nicholson, Williams, Elliott and Knotts: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO HR-1 OF 2009, THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, THE GENERAL ASSEMBLY ACCEPTS THE USE OF FEDERAL STIMULUS FUNDS PROVIDED TO THIS STATE IN THIS ACT IF THE GOVERNOR OF SOUTH CAROLINA, WITHIN THE REQUIRED FORTY-FIVE DAY PERIOD, FAILS TO CERTIFY THAT HE WILL REQUEST AND USE THESE FUNDS FOR THIS STATE AND THE AGENCIES AND ENTITIES THEREOF IN THE MANNER PROVIDED IN THE FEDERAL ACT, AND TO PROVIDE FOR THE MANNER OF DISTRIBUTION OF THESE FUNDS.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of the Concurrent Resolution.

On motion of Senator LEATHERMAN, the Concurrent Resolution was carried over.

**MOTION ADOPTED**

Senator L. MARTIN asked unanimous consent to make a motion that, when the Senate adjourns today, it stand adjourned to meet tomorrow at 11:00 A.M.

There was no objection and the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet tomorrow at 11:00 A.M.

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

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**DEBATE INTERRUPTED**

H. 3301 -- Reps. Harrell, Cato, Sandifer, Sellers, Neilson, Erickson, Bannister, Bedingfield, Merrill, Mitchell, Anthony, Bingham, Huggins, Vick, Cooper, Chalk, J.R. Smith, Willis, Gilliard, Allison, Anderson, Bales, Battle, Bowers, Brady, G.A. Brown, H.B. Brown, Cole, Daning, Duncan, Edge, Forrester, Gambrell, Gullick, Hamilton, Hayes, Herbkersman, Hiott, Jefferson, Horne, Kirsh, Limehouse, Littlejohn, Long, Lowe, Lucas, Miller, Millwood, Nanney, Ott, Owens, Parker, Pinson, E.H. Pitts, M.A. Pitts, Scott, Simrill, Skelton, D.C. Smith, G.R. Smith, Sottile, Spires, Stewart, Stringer, Thompson, Toole, Umphlett, White, Whitmire and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-39-175 SO AS TO REQUIRE THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS TO IMPLEMENT A REAL-TIME INTERNET ACCESSIBLE DATABASE FOR DEFERRED PRESENTMENT PROVIDERS TO VERIFY IF DEFERRED PRESENTMENT TRANSACTIONS ARE OUTSTANDING FOR A PARTICULAR PERSON; BY ADDING SECTION 34-39-270 SO AS TO PROHIBIT A DEFERRED PRESENTMENT PROVIDER FROM ENTERING INTO A DEFERRED PRESENTMENT TRANSACTION WITH A PERSON WHO HAS AN OUTSTANDING DEFERRED PRESENTMENT TRANSACTION OR WHO HAS ENTERED INTO AN EXTENDED PAYMENT PLAN AGREEMENT AND TO REQUIRE A DEFERRED PRESENTMENT PROVIDER TO VERIFY WHETHER AN INDIVIDUAL IS ELIGIBLE TO ENTER INTO A DEFERRED PRESENTMENT TRANSACTION; BY ADDING SECTION 34-39-280 SO AS TO REQUIRE THOSE APPLYING FOR LICENSES TO ENGAGE IN THE BUSINESS OF DEFERRED PRESENTMENT TO PROVIDE CERTAIN INFORMATION REGARDING EXTENDED PAYMENT PLANS; TO AMEND SECTION 34-39-130, RELATING TO LICENSURE REQUIREMENTS FOR DEFERRED PRESENTMENT PROVIDERS, SO AS TO PROHIBIT A PERSON FROM ENGAGING IN THE BUSINESS OF DEFERRED PRESENTMENT SERVICES WITH A RESIDENT OF SOUTH CAROLINA EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 39, TITLE 34; TO AMEND SECTION 34-39-180, RELATING TO DEFERRED PRESENTMENT RESTRICTIONS AND REQUIREMENTS, SO AS TO PROVIDE THAT THE TOTAL

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AMOUNT ADVANCED TO A CUSTOMER FOR DEFERRED PRESENTMENT OR DEPOSIT, EXCLUSIVE OF PERMISSIBLE FEES, MAY NOT EXCEED SIX HUNDRED DOLLARS.

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.

On motion of Senator L. MARTIN, with unanimous consent, Senator HAYES was recognized to explain the Bill.

On motion of Senator L. MARTIN, debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senator McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Lucille B. Scott of Kingstree, S.C., Chair of the Board of Directors of Vital Aging, Chair of the Williamsburg County School Board and Chair of the Williamsburg County Democratic Party.

**ADJOURNMENT**

At 1:14 P.M., on motion of Senator L. MARTIN, the Senate adjourned to meet tomorrow at 11:00 A.M.

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