**Tuesday, May 4, 2010**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

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

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

In the Old Testament, Job plaintively asked:

 “ ‘What strength do I have, that I should still hope? What prospects, that I should be patient?’ ” (Job 6:11)

 Good friends, let us pray:

 O God, we give You thanks and praise for the faithfulness—and the stamina—of these members of the South Carolina Senate and their staff members. Having worked recently through the night, tackling sensitive issues, yet embracing a heartfelt desire to honor the people of our State through their decisions—dear Lord, we are grateful for these servants, for each and every one of them. Continue, O God, to give these Senators patience; allow them to capture a full measure of Your vision for Your people. And grant them an unfailing willingness to work together for the common good. May it be so, O Lord, in Your loving and wondrous name.

Amen.

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

**Doctor of the Day**

 Senator McCONNELL introduced Dr. Marc New of North Charleston, S.C., Doctor of the Day.

**Leave of Absence**

 On motion of Senator HUTTO, at 12:05 P.M., Senator MATTHEWS was granted a leave of absence for the week.

**Leave of Absence**

 On motion of Senator BRYANT, at 12:05 P.M., Senator RYBERG was granted a leave of absence for the week.

**Leave of Absence**

 At 12:50 P.M., Senator FAIR requested a leave of absence beginning at 2:00 P.M. today and lasting until 9:00 A.M. in the morning.

**Leave of Absence**

 At 12:55 P.M., Senator COLEMAN requested a leave of absence for Wednesday and Thursday of this week.

**Expression of Personal Interest**

 Senator LEATHERMAN rose for an Expression of Personal Interest.

**CO-SPONSOR ADDED**

The following co-sponsor was added to the respective Bill:

S. 1322 Sen. Campsen

**CO-SPONSOR REMOVED**

 The following co-sponsor was removed from the respective Bill:

S. 1353 Sen. Rose

**RECALLED**

 S. 1282 -- Senator Cleary: A SENATE RESOLUTION TO COMMEND THE REPUBLIC OF CHINA (TAIWAN) FOR ITS RELATIONS WITH THE UNITED STATES AND FOR OTHER PURPOSES.

 Senator CLEARY asked unanimous consent to make a motion to recall the Senate Resolution from the General Committee.

 The Senate Resolution was recalled from the General Committee and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

 H. 4570 -- Reps. Clemmons, Hardwick and Viers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF UNITED STATES HIGHWAY 17 BYPASS AND SOUTH CAROLINA HIGHWAY 544 IN HORRY COUNTY THE “NELSON JACKSON MEMORIAL INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “NELSON JACKSON MEMORIAL INTERCHANGE”.

 Senator CLEARY asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

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

**RECALLED**

 H. 4807 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4117, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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

**Privilege of the Floor**

 On motion of Senator COURSON, pursuant to the provisions of Rule 35, the Privilege of the Floor was extended to the Honorable Robert Coble, affectionately known as “Mayor Bob”, Mayor of Columbia, S.C., upon the occasion of his retirement after 20 years of dedicated and faithful service.

 Senators COURSON, JACKSON, SCOTT, KNOTTS and SETZLER

escorted “Mayor Bob” to the podium for a presentation on behalf of the Senate.

 Senators COURSON, JACKSON, SCOTT, SETZLER and KNOTTS addressed brief remarks about and extended their congratulations to “Mayor Bob.”

**Remarks by Senator COURSON**

 Mayor Robert D. Coble will be retiring in June after 20 years of service to the City of Columbia. He has served longer than anyone as Mayor of South Carolina’s capital city.

 We are a unique city. We are the state’s capital. We have the largest U.S. Army basic training facility and the flagship university of the State located here. Our form of municipal governance is also unique in that we have a strong city manager and a structurally weak mayor. Despite the fact that he possesses basically the same political power as a city council person, he has done a superb job as mayor.

 Bob Coble is the only Columbia mayor most of my Senate colleagues have known. No one in this body has complained to me in any way about lack of hospitality by the City of Columbia.

 Mayor Coble has served with dignity, honor and integrity. He has been the face of Columbia throughout the Palmetto State.

 The Richland Senators introduced a Resolution honoring Mayor Coble.

**Remarks by Senator JACKSON**

 Thank you, Mr. PRESIDENT.

 Let me correct the records that Julie represents *both* of Bob’s hands, not just the right hand. Without her, he would not have been able to do anything. Bob is one of the best friends that I have and that I’ve ever had. In fact, Bob first hired me to be the Political Director of the South Carolina Democratic Party when he was the Executive Director of the South Carolina Democratic Party, so we go way back. He and I talk every week, and his family and my family are very close. We are going to miss him. I will venture to say that Columbia will never have another Mayor like Bob Coble. He is something special. So, congratulations to Mayor Coble.

**Remarks by Senator SCOTT**

 Let me also just give some brief remarks about Mayor Coble, as we always called him. It appears that every time I move to one position, Mayor Coble moves out of that position. I came to Richland County Council in ’88; Mayor Coble left in ’88 and moved on to the Senate. I came to the Senate two years ago and two years later he’s leaving the mayorship. But what can I say about this tremendous politician? I’m hoping that this isn’t the end of his political career. He has so much more to offer the City of Columbia but also to offer to the State of South Carolina. I was at a program with him on this past Friday night and we stood there for a number of hours. Mayor Coble, I want to get it straight. It was your comment about the 45 minutes; it was not mine. But nevertheless, we had a great time. He’s been honored all over the City of Columbia which says a lot about his character, his work ethic and what the City of Columbia has actually meant to him. Again, Mayor, I want to congratulate you on a job well done.

**Remarks by Senator SETZLER**

 Mr. PRESIDENT, I would just like to add my congratulations to Mayor Coble and to comment on what he has done, not only for the City of Columbia, but also for the Central Midlands of South Carolina. He has been a tremendous asset.

 Mayor, I want to personally thank you for what you have done. As we say, from the other side of the river, you have helped us do away with the river. When it is about cooperation and collaboration between governmental entities, “Mayor Bob” has been a real inspiration and worked with us. Whether it was with the university, the convention center, or Engenuity--in which I was privileged to serve as one of your appointees to the Executive Committee--or any other collaborative project, Mayor Coble has always worked with us. I have never called Bob Coble and received less than 100% cooperation.

 Bob, on behalf of the people of Lexington County and all of Central South Carolina--including me, personally--I want to say, “thank you.” You have done a great job.

 Thank you.

**Remarks by Senator KNOTTS**

 Thank you Mr. PRESIDENT.

 You know I hate to have to disagree with my co-Senator, the senior Senator from Lexington, Senator SETZLER. “Mayor Bob” hasn’t made the river disappear, but he certainly has made it a lot narrower.

 I remember when I first got elected to the House and we had the big fight with the City of Columbia over annexation of Harbison into the City of Columbia. They took a strip of land all the way up across the railroad tracks and zigzagged in and out of little places in order to get Harbison contiguous with the city limits. There was a big fight. You all remember Congressman WILSON--the former Senator; we were all fully engaged in that fight. We never had a time that we couldn’t sit down and talk with “Mayor Bob” if we wanted to. However, after that, I remember “Mayor Bob” and myself sitting down and inviting both delegations to Maxcy Gregg Park to a cookout that we all cooked. We cooked it together as a group on my campaign cooker. We brought all the delegations together--City of Columbia, Richland County and Lexington County. We all sat down in a gentlemen’s way. We didn’t look at the differences between the city and the counties. We looked at the positives that we had. Through that meeting we were able to really come together in some areas and do some things to narrow the river. I’ve known “Mayor Bob”--as I’ve called him since I went to work for the Solicitor’s Office in 1975. “Mayor Bob” has always been that type of person and I remember when he first got elected to County Council and when he was elected Mayor of Columbia.

 I just want to congratulate him for his thought processes--the fact that it isn’t always negative and there are some positives. He looks toward the positive and that always erases some of the negatives. You may not erase it all, but you will make a big attempt and we can all work together regardless of what party, what county or what city as we all work toward the main thing which is the best interests and the will of the people of the Central Midlands.

 “Mayor Bob”, I want to thank you not only for being the mayor but for being my friend all these years. Yes, the river is narrower than it used to be, but it hasn’t disappeared.

 Thank you.

 On motion of Senator LEVENTIS, with unanimous consent, the remarks of Senators COURSON, JACKSON, SCOTT, SETZLER and KNOTTS were ordered printed in the Journal.

**Remarks to be Printed**

 On motion of Senator MULVANEY, with unanimous consent, the remarks of Senator ROSE of Thursday, April 29, 2010, regarding Amendment 117B to H. 4657, the General Appropriations Bill, when reduced to writing and made available to the Desk, would be printed in the Journal.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

 The following were introduced:

 S. 1411 -- Senator Grooms: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MRS. MAE GROOMS SINGLETARY OF BERKELEY COUNTY ON THE REMARKABLE OCCASION OF HER ONE HUNDREDTH BIRTHDAY, AND TO WISH HER CONTINUED GOOD HEALTH AND MUCH HAPPINESS IN THE YEARS TO COME.

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 The Senate Resolution was adopted.

 S. 1412 -- Senator Leventis: A SENATE RESOLUTION TO RECOGNIZE AND HONOR YUANYUAN ZENG OF SICHUAN PROVINCE, CHINA, AND TO COMMEND HER FOR HER DEDICATED SERVICE AS AN INTERN TO SENATOR PHIL LEVENTIS, AND WISH HER SUCCESS IN ALL HER FUTURE ENDEAVORS.

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 The Senate Resolution was adopted.

 S. 1413 -- Senators Hayes, Peeler, Mulvaney and Coleman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 49 IN YORK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAYS 274 AND 557 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 55 "CORPORAL KEVIN CUSACK MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "CORPORAL KEVIN CUSACK MEMORIAL HIGHWAY".

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

 S. 1414 -- Senators O'Dell and Nicholson: A SENATE RESOLUTION TO CONGRATULATE DAN ROBINSON, M.D., OF GREENWOOD COUNTY FOR BEING NAMED 2010 SMALL BUSINESS ADMINISTRATION SMALL BUSINESS PERSON OF THE YEAR RUNNER-UP FOR SOUTH CAROLINA.

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 The Senate Resolution was adopted.

 S. 1415 -- Senators O'Dell and Nicholson: A SENATE RESOLUTION TO HONOR AND RECOGNIZE CLAIRE KUHL, AND TO COMMEND HER FOR BEING SELECTED FOR THE 2010 SMALL BUSINESS ADMINISTRATION'S WOMEN IN BUSINESS CHAMPIONS.

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 The Senate Resolution was adopted.

 S. 1416 -- Senators Leatherman, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE WILLIAM R. BYARS, JR. WHO WAS HONORED IN WASHINGTON, D.C., ON APRIL 20, 2010, AS A STATE CHAMPION FOR HIS SUPPORT OF AFTERSCHOOL PROGRAMS.

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 Senator LEATHERMAN spoke on the Resolution.

 The Senate Resolution was adopted.

 S. 1417 -- Senators Setzler, Knotts, Cromer and Courson: A BILL TO AMEND SECTION 7-27-365 OF THE 1976 CODE, RELATING TO THE REGISTRATION AND ELECTIONS COMMISSION FOR LEXINGTON COUNTY, TO CHANGE THE NUMBER OF ITS MEMBERS FROM SEVEN TO NINE.

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 Read the first time and, on motion of Senator SETZLER, with unanimous consent, S. 1417 was ordered placed on the Calendar without reference.

 H. 3122 -- Rep. Huggins: A BILL TO AMEND SECTION 12-60-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FAILURE OF A TAXPAYER TO MAKE A REPORT OR FILE A RETURN REQUIRED BY LAW OR A TAXPAYER WHO FILES A FRIVOLOUS RETURN, SO AS TO FURTHER PROVIDE FOR THE INFORMATION THE DEPARTMENT MUST CONSIDER WHEN MAKING AN ESTIMATE OF THE TAX LIABILITY OF THE TAXPAYER UNDER THESE CIRCUMSTANCES.

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

 H. 3393 -- Reps. Spires, Clyburn, Herbkersman, Hosey, Jefferson, Knight, Long, D. C. Smith, J. R. Smith, Williams, Forrester, A. D. Young, Huggins and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-190 SO AS TO ESTABLISH A JOINT COMMITTEE WITH MEMBERS FROM THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY TO ASSIST THESE BOARDS IN ESTABLISHING A PROTOCOL AUTHORIZING PHARMACISTS TO ADMINISTER CERTAIN VACCINES WITHOUT AN ORDER OF A PRACTITIONER; BY ADDING SECTION 40-43-200 SO AS TO REQUIRE THE STATE BOARD OF PHARMACY AND THE BOARD OF MEDICAL EXAMINERS TO ISSUE A JOINT WRITTEN PROTOCOL AUTHORIZING PHARMACISTS TO ADMINISTER CERTAIN VACCINATIONS WITHOUT AN ORDER OF A PRACTITIONER; AND TO AMEND SECTION 40-43-86, AS AMENDED, RELATING TO, AMONG OTHER THINGS, VARIOUS PHARMACY FACILITY, STAFFING, AND PRESCRIPTION REQUIREMENTS, SO AS TO INCREASE THE MAXIMUM AMOUNT OF A LEGEND DRUG THAT A PHYSICIAN IN CHARGE OF AN EMERGENCY ROOM MAY DISPENSE FROM A SEVENTY-TWO HOUR SUPPLY TO A ONE HUNDRED FORTY-FOUR HOUR SUPPLY.

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

 H. 3561 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE REVENUES FOR THE OPERATIONS OF STATE GOVERNMENT FOR FISCAL YEAR 2009-2010 TO SUPPLEMENT APPROPRIATIONS MADE FOR THOSE PURPOSES BY THE GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2009-2010.

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

 H. 3839 -- Reps. Edge, Harrison, Viers, McLeod and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 21, TITLE 5 SO AS TO ENACT THE "MUNICIPAL FINANCE OVERSIGHT ACT OF 2009" TO CREATE THE MUNICIPAL FINANCE OVERSIGHT COMMISSION AND AN EXECUTIVE COMMITTEE OF THE COMMISSION, PROVIDE FOR THEIR COMPOSITION, POWERS, DUTIES, AND RESPONSIBILITIES, REQUIRE MUNICIPALITIES TO SUBMIT ANNUAL FINANCIAL REPORTS AND ANNUAL AUDITS, PROVIDE FOR SANCTIONS AGAINST MUNICIPALITIES THAT FAIL TO COMPLY WITH THE COMMISSION'S PLAN FOR REFINANCING, ADJUSTING, OR COMPROMISING A DEBT, PROVIDE PENALTIES FOR AN OFFICER OR EMPLOYEE OF A MUNICIPALITY WHO FAILS TO COMPLY WITH THE PROVISIONS OF ARTICLE 9, CHAPTER 21; AND TO AMEND SECTION 6-1-50, AS AMENDED, RELATING TO THE REQUIREMENT OF A FINANCIAL REPORT SUBMITTED BY COUNTIES AND MUNICIPALITIES TO THE STATE BUDGET AND CONTROL BOARD, OFFICE OF RESEARCH AND STATISTICS, ECONOMIC RESEARCH SECTION, SO AS TO DELETE THE REQUIREMENT THAT THE REPORT BE SUBMITTED BY A MUNICIPALITY.

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

 H. 3854 -- Rep. Cooper: A BILL TO AMEND TITLE 12, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAXATION, SO AS TO REVISE CERTAIN CHAPTERS AND SECTIONS PERTAINING TO VARIOUS TAX MATTERS.

 Read the first time and, on motion of Senator McCONNELL, with unanimous consent, the Bill was referred to the Committee on Judiciary.

 H. 4260 -- Reps. R. L. Brown and Whipper: A BILL TO AMEND SECTION 57-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONING A COURT TO ABANDON OR CLOSE A STREET, ROAD, OR HIGHWAY, SO AS TO PROVIDE THAT NOTICE OF INTENTION TO FILE A PETITION MUST BE POSTED ALONG THE STREET, ROAD, OR HIGHWAY.

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

 H. 4269 -- Reps. Herbkersman, D. C. Smith, Umphlett, Ballentine, J. R. Smith, Limehouse, Lowe, Bingham, Merrill, Toole, R. L. Brown, T. R. Young, Stewart, McLeod, G. A. Brown, Hiott, Rice, J. E. Smith, Duncan, Agnew, Hutto, Clemmons, Chalk, Clyburn, Hosey, Crawford, Battle, Pinson, Ott, Lucas, Hayes, Stavrinakis, Knight, D. C. Moss, Brady, Horne, Sellers, H. B. Brown, Sottile and Bowers: A BILL TO AMEND ACT 200 OF 2002, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK ACT, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT NO FURTHER DEED RECORDING FEES OR OTHER FUNDS MAY BE CREDITED TO THE CONSERVATION BANK TRUST FUND IN ANY YEAR WHEN A MAJORITY OF STATE AGENCY APPROPRIATIONS ARE REDUCED IN THE ANNUAL GENERAL APPROPRIATIONS ACT OR WHEN THE STATE BUDGET AND CONTROL BOARD IMPOSES ACROSS THE BOARD CUTS AND INSTEAD PROVIDE FOR A REDUCTION ON A PERCENTAGE BASIS IN THE AMOUNT OF DEED RECORDING FEES WHICH MAY BE TRANSFERRED TO THE TRUST FUND, AND TO EXTEND THE EXPIRATION DATE OF THE PROVISIONS OF LAW RELATING TO THE CONSERVATION BANK ACT AND OTHER RELATED DATES PERTAINING TO THE CLOSURE OF THE CONSERVATION BANK ACT AND CONSERVATION BANK FUND.

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

 H. 4506 -- Reps. Lucas, Harrison, J. E. Smith, Harrell, Battle and Rutherford: A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS' MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT.

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

 H. 4559 -- Reps. Barfield, Huggins, Crawford, Jefferson, Williams, H. B. Brown, Viers, Govan, Chalk, G. M. Smith, Weeks, Bowen, Clemmons, Gunn, Hardwick, Harrison, Hart, Hearn, Long, V. S. Moss, J. H. Neal, Ott, J. E. Smith, Toole, Vick, White, Willis, Whipper, R. L. Brown and Neilson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 53, TITLE 44 TO ENACT THE "UTILIZATION OF UNUSED PRESCRIPTION DRUGS ACT" SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, IN CONSULTATION WITH THE BOARD OF PHARMACY, SHALL DEVELOP A VOLUNTARY PROGRAM WHEREBY HEALTH CARE FACILITIES CAN DONATE UNUSED PRESCRIPTION DRUGS OF PATIENTS WHO NO LONGER NEED THEM AND WHO HAVE VOLUNTARILY AGREED TO DONATE THEIR PRESCRIPTION DRUGS TO CHARITABLE CLINICS PROVIDING SERVICES TO MEDICALLY INDIGENT PERSONS; TO PROVIDE THAT CERTAIN PROGRAM PROCEDURES AND REQUIREMENTS MUST BE PROMULGATED IN REGULATION BY THE DEPARTMENT AND BY THE BOARD OF PHARMACY, INDIVIDUALLY, TO CARRY OUT THE PROVISIONS OF THIS ARTICLE; AND TO CREATE AN ADVISORY COUNCIL TO OVERSEE AND ADVISE THE DEPARTMENT IN ESTABLISHING THIS PROGRAM AND IN CARRYING OUT THE RESPONSIBILITIES UNDER THIS ARTICLE; BY ADDING SECTION 44-53-60 SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, IN CONJUNCTION WITH THE BOARD OF PHARMACY, SHALL DEVELOP A PROGRAM TO RECEIVE AND DISPOSE OF UNUSED MEDICATIONS FROM THE PUBLIC AND SHALL DEVELOP GUIDELINES FOR THE SAFE AND PROPER DISPOSAL OF MEDICATIONS WHICH MUST BE AVAILABLE AND DISTRIBUTED TO THE PUBLIC.

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

 H. 4562 -- Rep. Vick: A BILL TO AMEND SECTION 39-11-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGISTRATION FEES OF WEIGHMASTERS AND DEPUTY WEIGHMASTERS, SO AS TO REVISE THE REGISTRATION FEE FOR WEIGHMASTERS AND TO DELETE THE ADDITIONAL FEE FOR DEPUTY PUBLIC WEIGHMASTERS; TO AMEND SECTION 39-11-60, RELATING TO LENGTH OF REGISTRATION AND RENEWAL, SO AS TO REVISE THE TIME IN WHICH PUBLIC WEIGHMASTER REGISTRATIONS MUST BE RENEWED; TO AMEND SECTION 39-11-80, RELATING TO REFUSAL OR REVOCATION OF A LICENSE, SO AS TO DELETE THE REFUSAL OR REVOCATION OF A DEPUTY PUBLIC WEIGHMASTER LICENSE BY THE COMMISSIONER OF AGRICULTURE; AND TO REPEAL SECTIONS 39-11-40 AND 39-11-50 RELATING TO EMPLOYMENT OR DESIGNATION OF DEPUTY WEIGHMASTERS AND RENEWAL OF REGISTRATION, RESPECTIVELY.

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

 H. 4616 -- Reps. Littlejohn, Brantley, Hodges, Jefferson, R. L. Brown, Clemmons, Cobb-Hunter, Herbkersman, Weeks and M. A. Pitts: A BILL TO AMEND SECTION 50-9-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND OTHER LICENSES, SO AS TO ADD A ONE-DOLLAR SURCHARGE TO EACH LICENSE FEE CONTAINED IN THE SECTION AND PROVIDE THAT THIS SURCHARGE MUST BE USED FOR THE PURPOSE OF FEEDING HUNGRY INDIVIDUALS IN THE MANNER PROVIDED IN SECTION 50-1-275; AND TO ADD SECTION 50-1-275 SO AS TO PROVIDE FOR THE MANNER IN WHICH THE ONE-DOLLAR SURCHARGE MUST BE USED FOR THE PURPOSE OF FEEDING HUNGRY INDIVIDUALS, INCLUDING THE ESTABLISHMENT OF A SEVEN-MEMBER BOARD IN EACH GAME ZONE TO OVERSEE THE EXPENDITURE OF THE FUNDS ALLOCATED TO THAT GAME ZONE FOR THIS PURPOSE.

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

 H. 4695 -- Reps. Anderson, Miller, Crawford, Brantley, Allen, G. A. Brown, Dillard, Hayes, Hodges, Hosey, Jefferson, Littlejohn, Lowe and J. H. Neal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-31-1040 SO AS TO PROVIDE FOR THE MANNER IN WHICH A NONPROFIT CORPORATION MAY CONVERT TO A FOR PROFIT CORPORATION; BY ADDING SECTION 33-31-1045 SO AS TO PROVIDE FURTHER CONDITIONS FOR THE CONVERSION OF A PUBLIC BENEFIT OR RELIGIOUS CORPORATION TO A FOR PROFIT CORPORATION; AND TO AMEND SECTION 33-1-200, AS AMENDED, RELATING TO FILING REQUIREMENTS UNDER THE BUSINESS CORPORATION ACT, SO AS TO ADD A REFERENCE TO THE CHAPTER ON NONPROFIT CORPORATIONS.

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

 H. 4715 -- Rep. Vick: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF JEFFERSON NATIONAL GUARD ARMORY IN JEFFERSON, SOUTH CAROLINA, TO THE COUNTY OF CHESTERFIELD.

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

 H. 4798 -- Rep. Gunn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-611 SO AS TO PROVIDE THAT THE HONOR AND REMEMBER FLAG IS THE OFFICIAL STATE FLAG TO HONOR FALLEN SOLDIERS.

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

 H. 4820 -- Reps. Allison, Harrell, Cato, Mitchell, G. R. Smith, Bedingfield, Parker, Millwood, Bannister, Forrester, Hamilton, Kelly, Littlejohn, Nanney, Stringer and Wylie: A JOINT RESOLUTION TO PROVIDE THAT IN 2011 AND 2012, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN SUCH MANUFACTURER'S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SIX HUNDRED NINETY-NINE DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

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

 H. 4821 -- Reps. Allison, Harrell, Cato, Mitchell, Parker, Millwood, Hamilton, G. R. Smith, Bedingfield, Bannister, Forrester, Kelly, Littlejohn, Nanney, Stringer and Wylie: A BILL TO AMEND SECTION 56-3-2330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER LICENSE PLATES FOR MOTOR VEHICLES, SO AS TO INCREASE FROM FOUR TO FIVE HUNDRED THE NUMBER OF THESE PLATES THAT MAY BE ISSUED TO A MANUFACTURER AND TO INCREASE FROM TEN TO TWENTY DAYS THE MAXIMUM NUMBER OF CONSECUTIVE DAYS THAT VEHICLES WITH THESE PLATES MAY BE USED IN CONNECTION WITH CIVIC AND SPORTING EVENTS.

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

 H. 4855 -- Reps. Sandifer, Skelton, Hayes and Hiott: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 93 AND PERIMETER ROAD IN THE CITY OF CLEMSON "BILL MCLELLAN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "BILL MCLELLAN INTERSECTION".

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

 H. 4865 -- Rep. Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-674 SO AS TO DESIGNATE THE SOUTH CAROLINA PECAN FESTIVAL IN FLORENCE COUNTY AS THE OFFICIAL STATE PECAN FESTIVAL.

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

 H. 4879 -- Reps. Knight, Horne and A. D. Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION REPLACE THE SIGNS ALONG UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY THAT CONTAIN THE WORDS "CYPRESS SWAMP" WITH SIGNS THAT CONTAIN THE WORDS "GREAT CYPRESS SWAMP".

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

 H. 4893 -- Reps. Limehouse, Stavrinakis, Gilliard, Sottile, Viers, Toole, Neilson and Duncan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-190 SO AS TO ESTABLISH THE "STATE DAY OF PRAYER" AS THE FIRST THURSDAY IN MAY OF EACH YEAR.

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

 H. 4906 -- Reps. Bannister, Hamilton, Wylie, Nanney, Bedingfield, Loftis, Allen, Cato and Stringer: A BILL TO AMEND ACT 848 OF 1954, RELATING TO THE CREATION OF THE BEREA WATER AND SEWER DISTRICT IN GREENVILLE COUNTY, SO AS TO ADD TWO ADDITIONAL MEMBERS TO THE GOVERNING COMMISSION AND PROVIDE FOR STAGGERING THEIR TERMS.

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

**HOUSE CONCURRENCES**

 S. 1321 -- Senators Scott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO DECLARE THE MONTH OF SEPTEMBER 2010 YOUTH AWARENESS MONTH IN SOUTH CAROLINA AND TO ENCOURAGE ALL CITIZENS OF THIS GREAT STATE TO PROMOTE STRONG FAMILIES AND PARENTING, ALONG WITH YOUTH PROGRAMS AND JOBS.

 Returned with concurrence.

 Received as information.

 S. 1324 -- Senators Scott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO DECLARE THE MONTH OF OCTOBER 2010 AS GANG AWARENESS MONTH IN SOUTH CAROLINA IN ORDER TO RAISE PUBLIC AWARENESS OF THE INCREASING PROBLEM OF CRIMINAL GANG ACTIVITY IN OUR STATE.

 Returned with concurrence.

 Received as information.

**Message from the House**

Columbia, S.C., April 28, 2010

Mr. President and Senators:

 The House respectfully informs your Honorable Body that it has sent the following veto to the Senate:

 (R171, H3395) -- Reps. Harrell, Thompson, Cooper, Erickson, Bingham, A.D. Young, Edge, Bedingfield, J.R. Smith, G.R. Smith, D.C. Smith, Bannister, Brady, Cato, Chalk, Forrester, Gambrell, Hamilton, Hiott, Horne, Long, Nanney, Parker, E.H. Pitts, Rice, Scott, Sottile, Stewart, Viers, White, Willis, Toole, Neilson, Bales, T.R. Young and Wylie: AN ACT TO AMEND SECTION 11‑11‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL RESERVE FUND, SO AS TO MAKE CONFORMING AMENDMENTS TO REFLECT ANY CHANGE IN THE AMOUNT REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND PURSUANT TO THE CONSTITUTION OF THIS STATE AND THE RATE AND MANNER OF REPLENISHMENT OF THAT AMOUNT; TO AMEND SECTION 11‑11‑320, AS AMENDED, RELATING TO THE CAPITAL RESERVE FUND, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH REVENUES IN THE FUND MUST BE USED IN EACH FISCAL YEAR INCLUDING A REQUIREMENT THAT THE CAPITAL RESERVE FUND MAY NOT BE USED TO OFFSET A MIDYEAR BUDGET REDUCTION; TO AMEND SECTION 11‑9‑890, RELATING TO THE DELINEATION OF FISCAL YEAR REVENUE ESTIMATES BY QUARTERS AND ACTIONS REQUIRED TO AVOID YEAR‑END DEFICITS, SO AS TO REVISE PROCEDURES REQUIRED TO REDUCE GENERAL FUND APPROPRIATIONS AND EXPENDITURES AND THE CRITERIA WHICH REQUIRES SUCH REDUCTIONS; TO AMEND SECTION 1‑11‑495, RELATING TO MONITORING REVENUES AND EXPENDITURES TO DETERMINE YEAR‑END DEFICITS, SO AS TO FURTHER PROVIDE FOR WHEN REDUCTIONS BY THE STATE BUDGET AND CONTROL BOARD MAY BE ORDERED, TO PROVIDE THAT THE REDUCTIONS ARE SUBJECT TO ANY BILL OR RESOLUTION ENACTED BY THE GENERAL ASSEMBLY, AND TO ADD A REQUIREMENT THAT TO RECOGNIZE A DEFICIT REQUIRES FOUR VOTES OF THE MEMBERS OF THE STATE BUDGET AND CONTROL BOARD; TO REPEAL SECTION 11‑11‑325 RELATING TO BUDGET SHORTFALLS AND THE REQUIREMENT THAT THE STATE BUDGET AND CONTROL BOARD FIRST MUST REDUCE THE CAPITAL RESERVE FUND BEFORE MANDATING CUTS TO OPERATING APPROPRIATIONS IF A REVENUE SHORTFALL IS PROJECTED; AND TO PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS UNDER WHICH THESE PROVISIONS TAKE EFFECT.

Respectfully submitted,

Speaker of the House

 Received as Information

**Message from the House**

Columbia, S.C., April 28, 2010

Mr. President and Senators:

 The House respectfully informs your Honorable Body that it has sent the following veto to the Senate:

 (R178, H4755) -- Reps. Miller and Anderson: AN ACT TO PROVIDE THAT THE SCHOOL DISTRICT OF GEORGETOWN COUNTY FOR FISCAL YEAR 2010‑2011 MAY EXPEND FUNDS GENERATED FROM A GENERAL OBLIGATION DEBT BOND ISSUE FOR SCHOOL OPERATING PURPOSES, IN ORDER TO DEAL WITH A SHORTAGE OF SCHOOL OPERATING FUNDS, IF PERMITTED BY THE FEDERAL LAW APPLICABLE TO THE PARTICULAR TYPES OF BONDS ISSUED AND IF IT DOES NOT VIOLATE ANY PROVISIONS OF THE BOND INDENTURE APPLICABLE TO THE ISSUANCE AND SALE OF THOSE BONDS.

Respectfully submitted,

Speaker of the House

 Received as Information

**Message from the House**

Columbia, S.C., April 29, 2010

Mr. President and Senators:

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

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

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 CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**THIRD READING BILLS**

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

 S. 1405 -- Senator Coleman: A BILL TO PROVIDE FOR THE TRANSFER OF QUALIFYING STUDENTS FROM FAIRFIELD COUNTY SCHOOL DISTRICT TO CHESTER COUNTY SCHOOL DISTRICT; TO REQUIRE THE TREASURER OF FAIRFIELD COUNTY TO REMIT CERTAIN FUNDS PER TRANSFERRING PUPIL TO CHESTER COUNTY SCHOOL DISTRICT ON BEHALF OF FAIRFIELD COUNTY SCHOOL DISTRICT; TO PROVIDE FOR THE TIMING OF THE PAYMENT, AND TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PAY THE AMOUNT DUE TO CHESTER COUNTY SCHOOL DISTRICT OUT OF FUNDS OTHERWISE ALLOCATED TO THE FAIRFIELD COUNTY SCHOOL DISTRICT PURSUANT TO THE EDUCATION FINANCE ACT IF THE TREASURER OF FAIRFIELD COUNTY FAILS TO PAY CHESTER COUNTY SCHOOL DISTRICT; TO ALLOW THE CHESTER COUNTY SCHOOL DISTRICT TO CONSIDER THESE PAYMENTS ANTICIPATED AD VALOREM TAXATION; TO REQUIRE THE STATE SUPERINTENDENT OF EDUCATION TO SETTLE ANY DISPUTE THAT ARISES BETWEEN THE DISTRICTS UPON THE IMPLEMENTATION AND ADMINISTRATION OF THE PROVISIONS OF THIS ACT; AND TO PROVIDE FOR THE PAYMENT OF MONIES PREVIOUSLY OWED TO CHESTER COUNTY SCHOOL DISTRICT.

 By prior motion of Senator COLEMAN, with unanimous consent

S. 1149 -- Senator Cleary: A BILL TO AMEND CHAPTER 28, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSURE AND REGULATION OF LANDSCAPE ARCHITECTS, SO AS TO CONFORM THE CHAPTER TO THE STATUTORY ORGANIZATIONAL FRAMEWORK OF CHAPTER 1, TITLE 40 FOR BOARDS UNDER THE ADMINISTRATION OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF LANDSCAPE ARCHITECTS.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

 S. 1243 -- Senator Knotts: A BILL TO AMEND SECTION 8‑13‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO DELETE THE PROHIBITION OF THE RELEASE OF INFORMATION UNTIL FINAL DISPOSITION OF AN ETHICS INVESTIGATION AND REQUIRE THAT THE INFORMATION MAY NOT BE RELEASED UNTIL A FINDING OF PROBABLE CAUSE HAS BEEN MADE.

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

 Senator HAYES proposed the following amendment (JUD1243.002), which was adopted:

 Amend the committee Report, as and if amended, page [1243-1] by striking lines 37-38 and inserting the following:

 / SECTION 2. Section 8-13-540 of the 1976 Code is amended to read:

 “Section 8-13-540. Unless otherwise provided for by House or Senate rule, as appropriate, each ethics committee must conduct its investigation of a complaint filed pursuant to this chapter or Chapter 17 of Title 2 in accordance with this section.

 (1) When a complaint is filed with or by the ethics committee, a copy must promptly be sent to the person alleged to have committed the violation. If the ethics committee determines the complaint does not allege facts sufficient to constitute a violation, the complaint must be dismissed and the complainant and respondent notified. If the ethics committee finds that the complaining party wilfully filed a groundless complaint, the finding must be reported to appropriate law enforcement authorities. The wilful filing of a groundless complaint is a misdemeanor and, upon conviction, a person must be fined not more than one thousand dollars or imprisoned not more than one year. In lieu of the criminal penalty provided by this subsection, a civil penalty of not more than one thousand dollars may be assessed against the complainant upon proof, by a preponderance of the evidence, that the filing of the complaint was wilful and without just cause or with malice. If the ethics committee determines the complaint alleges facts sufficient to constitute a violation, it shall promptly investigate the alleged violation and may compel by subpoena the attendance and testimony of witnesses and the production of pertinent books and papers. All investigations, inquiries, hearings, and accompanying documents must remain confidential until a finding of probable cause or dismissal, unless the respondent waives the right to confidentiality.

 If after such preliminary investigation, the ethics committee finds that probable cause exists to support an alleged violation, it shall, as appropriate:

 (a) render an advisory opinion to the respondent and require the respondent’s compliance within a reasonable time; or

 (b) convene a formal hearing on the matter within thirty days of the respondent’s failure to comply with the advisory opinion. ~~All ethics committee investigations and records relating to the preliminary investigation are confidential.~~ No complaint shall be accepted which is filed later than four years after the alleged violation occurred.

 (2) If a hearing is to be held, the respondent must be allowed to examine and make copies of all evidence in the ethics committee’s possession relating to the charges. At the hearing the charged party must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross‑examine opposing witnesses. All hearings must be conducted in ~~executive~~ open session.

 (3) After the hearing, the ethics committee shall determine its findings of fact. If the ethics committee, based on competent and substantial evidence, finds the respondent has violated this chapter or Chapter 17 of Title 2, it shall:

 (a) administer a public or private reprimand;

 (b) determine that a technical violation as provided for in Section 8‑13‑1170 has occurred;

 (c) recommend expulsion of the member; and/or,

 (d) in the case of an alleged criminal violation, refer the matter to the Attorney General for investigation. The ethics committee shall report its findings in writing to the Speaker of the House or President Pro Tempore of the Senate, as appropriate. The report must be accompanied by an order of punishment and supported and signed by a majority of the ethics committee members. If the ethics committee finds the respondent has not violated a code or statutory provision, it shall dismiss the charges.

 (4) An individual has ten days from the date of the notification of the ethics committee’s action to appeal the action to the full legislative body.

 (5) No ethics committee member may participate in any matter in which he is involved.

 (6) The ethics committee shall establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross‑examine opposing witnesses.”

 SECTION 3. Section 8-13-1372 of the 1976 Code is amended to read:

 “(A) The ~~State Ethics Commission~~ appropriate supervisory office, in its discretion, may determine that errors or omissions on campaign reports are inadvertent and unintentional and not an effort to violate a requirement of this chapter and may be handled as technical violations which are not subject to the provisions of this chapter pertaining to ethical violations. Technical violations must remain confidential unless requested to be made public by the candidate filing the report. In lieu of all other penalties, the ~~State Ethics Commission~~ appropriate supervisory office may assess a technical violations penalty not to exceed fifty dollars.

 (B) A violation other than an inadvertent or unintentional violation must be ~~referred to~~ considered by the appropriate supervisory office for appropriate action.”

 SECTION 4. This act takes effect upon approval by the Governor./ Renumber sections to conform.

 Amend title to conform.

 Senator HAYES explained the perfecting amendment.

 The perfecting amendment was adopted.

 The Judiciary Committee proposed the following amendment (JUD1243.001), which was adopted:

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

 / SECTION 1. Section 8‑13‑320(10)(g) of the 1976 Code, as last amended by Act 387 of 2006, is further amended to read:

 “(g) All investigations, inquiries, hearings, and accompanying documents must remain confidential until ~~final disposition of a matter~~ a finding of probable cause or dismissal unless the respondent waives the right to confidentiality. The wilful release of confidential information is a misdemeanor, and any person releasing ~~such~~ confidential information, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year.”

 SECTION 2. This act takes effect upon approval by the Governor./

 Renumber sections to conform.

 Amend title to conform.

 Senator HAYES explained the committee amendment.

 The committee amendment was adopted.

 Senator LARRY MARTIN explained the Bill.

 The question then was the second reading of the Bill.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Ford Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Mulvaney Nicholson O’Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

 H. 4352 -- Reps. Hodges and Dillard: A JOINT RESOLUTION TO ESTABLISH A STUDY COMMITTEE TO REVIEW, STUDY, AND MAKE RECOMMENDATIONS CONCERNING THE NEED TO FOSTER THE DEVELOPMENT OF MICROENTERPRISES IN THIS STATE, TO PROVIDE FOR THE STUDY COMMITTEE’S MEMBERSHIP, AND TO REQUIRE THE STUDY COMMITTEE TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY NO LATER THAN JANUARY 20, 2011, AT WHICH TIME THE STUDY COMMITTEE IS ABOLISHED.

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

 Senator SETZLER proposed the following amendment (SWB\
8081BH10), which was adopted:

 Amend the joint resolution, as and if amended, by deleting in its entirety SECTION 3(A)(4), as contained on page 2, lines 18‑19, and inserting:

 / (4) one member appointed by the South Carolina Bankers Association; /

 Renumber sections to conform.

 Amend title to conform.

 Senator SETZLER explained the amendment.

 The amendment was adopted.

 Senator SETZLER proposed the following amendment (4352R001.NGS), which was adopted:

 Amend the joint resolution, as and if amended, page 2, by striking lines 11 - 23 and inserting:

 / SECTION 3. (A) The study committee must be composed of the following nine members:

 (1) two members appointed by the Governor;

 (2) two members appointed by the Speaker of the House of Representatives;

 (3) two members appointed by the President Pro Tempore of the Senate;

 (4) one member appointed by the President Pro Tempore of the Senate upon the recommendation of the South Carolina Women’s Business Center;

 (5) one member appointed Speaker of the House of Representatives upon the recommendation of the South Carolina Business Initiative; and

 (6) one member appointed by the Governor upon the recommendation of the Advisory Coordinating Council for Economic Development. /

 Renumber sections to conform.

 Amend title to conform.

 The amendment was adopted.

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**OBJECTION**

 H. 3536 -- Reps. J.E. Smith and McLeod: A BILL TO AMEND SECTION 17‑5‑130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS OF CORONERS, SO AS TO INCREASE THOSE QUALIFICATIONS BY REQUIRING THOSE PERSONS WITH HIGH SCHOOL DIPLOMAS TO ALSO HAVE AT LEAST SIX YEARS’ EXPERIENCE IN THE FIELD, BY REQUIRING THOSE PERSONS WITH A TWO YEAR ASSOCIATE DEGREE TO ALSO HAVE FOUR YEARS OF EXPERIENCE IN THE FIELD, AND BY REQUIRING THOSE PERSONS WITH A FOUR YEAR BACCALAUREATE DEGREE TO ALSO HAVE AT LEAST TWO YEARS OF EXPERIENCE IN THE FIELD; AND TO REQUIRE THAT A CANDIDATE FOR CORONER FILE A SWORN AFFIDAVIT WITH THE COUNTY EXECUTIVE COMMITTEE OF THE PERSON’S POLITICAL PARTY UNDER SPECIFIED TIME FRAMES, TO PROVIDE FOR THE FILING OF THE AFFIDAVIT BY PETITION CANDIDATES, AND TO DELINEATE THE INFORMATION THAT THE AFFIDAVIT MUST CONTAIN.

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

 Senators KNOTTS, LAND and GROOMS proposed the following amendment (JUD3536.004), which was adopted:

 Amend the committee report, as and if amended, page [3536-1], by striking lines 26-41, and page [3536-2], by striking lines 1-31, and inserting:

 / SECTION 1. Section 17‑5‑130 of the 1976 Code is amended to read:

 “Section 17‑5‑130. (A)(1) A coroner in this State ~~must~~ shall have all of the following qualifications, the person shall:

 (~~1~~a) be a citizen of the United States;

 (~~2~~b) be a resident of the county in which ~~he~~ the person seeks the office of coroner for at least one year before qualifying for the election to the office;

 (~~3~~c) be a registered voter;

 (~~4~~d) have attained the age of twenty‑one years before the date of qualifying for election to the office;

 (~~5~~e) have obtained a high school diploma or its recognized equivalent by the State Department of Education; and

 (~~6~~f) have not been convicted of a felony offense or ~~any~~ an offense involving moral turpitude contrary to the laws of this State, ~~any other~~ another state, or the United States.

 (2) In addition to the requirements of subsection (A)(1), a coroner in this State who is a resident of a county with a population of one hundred fifty thousand people or more shall have at least one of the following qualifications, the person shall:

 (a) have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

 (b) have a two-year associate degree and two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

 (c) have a four-year baccalaureate degree and one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

 (d) be a law enforcement officer, as defined by Section 23-23-10(E)(1), who is certified by the South Carolina Law Enforcement Training Council with a minimum of two years of experience; or

 (e) be a licensed private investigator with a minimum of two years of experience.

 (B)(1) A person who offers his candidacy for the office of coroner, no later than the close of filing, shall file a sworn affidavit with the county executive committee of the person’s political party.

 (2) The county executive committee of a political party with whom a person has filed his affidavit must file a copy of the affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on a Saturday, Sunday, or holiday, the affidavit must be filed by noon the following day.

 (3) A person who seeks nomination by petition for the office of coroner, no later than the close of filing, shall file a sworn affidavit with the county election commission in the county of his residence.

 (4) The affidavit required by the provisions of this subsection must contain the following information:

 (a) the person’s date and place of birth;

 (b) the person’s citizenship;

 (c) the county the person is a resident of, and how long the person has been a resident of that county;

 (d) whether the person is a registered voter;

 (e) the date the person obtained a high school diploma or its recognized equivalent by the State Department of Education;

 (f) whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States;

 (g) the date the person obtained an associate or baccalaureate degree, if applicable; and

 (h) the number of years of experience the person has as a death investigator, certified law enforcement officer, or licensed private investigator, if applicable. /

 Amend the COMMITTEE REPORT further, as and if amended, page [3536-4], by striking line 23, and inserting:

 / SECTION 3. This act takes effect on March 1, 2011. /

 Renumber sections to conform.

 Amend title to conform.

 Senator KNOTTS explained the perfecting amendment.

 The perfecting amendment was adopted.

 The Committee on Judiciary proposed the following amendment (JUD3536.001), which was adopted:

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

 / SECTION 1. Section 17‑5‑130 of the 1976 Code is amended to read:

 “Section 17‑5‑130. (A) A coroner in this State ~~must~~ shall have the following qualifications, the person shall:

 (1) be a citizen of the United States;

 (2) be a resident of the county in which ~~he~~ the person seeks the office of coroner for at least one year before qualifying for the election to the office;

 (3) be a registered voter;

 (4) have attained the age of twenty-one years before the date of qualifying for election to the office;

 (5) have obtained a:

 (a) high school diploma or its recognized equivalent by the State Department of Education and have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

 (b) two-year associate degree and have two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; or

 (c) four-year baccalaureate degree and have one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency; and

 (6) have not been convicted of a felony offense or ~~any~~ an offense involving moral turpitude contrary to the laws of this State, ~~any other~~ another state, or the United States.

 (B)(1) A person who offers the person’s candidacy for the office of coroner, no later than the close of filing, shall file a sworn affidavit with the county executive committee of the person’s political party.

 (2) The county executive committee of a political party with whom a person has filed an affidavit shall file a copy of the affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on a Saturday, Sunday, or a holiday, the affidavit must be filed by noon the following day.

 (3) A person who seeks nomination by petition shall file a sworn affidavit with the county election commission in the county of the person’s residence.

 (4) The affidavit required by the provisions of this subsection must contain the following information, the:

 (a) date and place of the person’s birth;

 (b) date the person graduated from high school or obtained the recognized equivalent of a high school diploma;

 (c) date the person received an associate or baccalaureate degree, if applicable; and

 (d) number of years’ experience the person has in death investigation, if applicable.

 (C) Each person serving as coroner in ~~his~~ the person’s first term is required to complete a basic training session to be determined by the Department of Public Safety. This basic training session must be completed no later than the end of the calendar year following ~~his~~ the person’s election as coroner. A person appointed to fill the unexpired term in the office of coroner ~~must~~ shall complete a basic training session to be determined by the department within one calendar year of the date of appointment. This section must not be construed to require an individual to repeat the basic training session if ~~he~~ the person has successfully completed the session prior to ~~his~~ the person’s election or appointment as coroner. A coroner who is unable to attend this training session when offered because of an emergency or extenuating circumstances ~~must~~, within one year from the date the disability or cause terminates, shall complete the standard basic training session required of coroners. A coroner who does not fulfill the obligations of this subsection is subject to suspension by the Governor until the coroner completes the training session.

 (~~C~~D) A person holding the office of coroner or deputy coroner who was elected, appointed, or employed prior to January 1, 1994, and who has served continuously since that time ~~must~~ shall attend a minimum of sixteen hours training annually as may be selected by the South Carolina Law Enforcement Training Council on or before December 31, 1995. Each year ~~thereafter~~, all coroners and deputy coroners ~~must~~ shall complete a minimum of sixteen hours training annually as ~~may be~~ selected by the council. Certification or records of attendance or training must be maintained as directed by the council.

 (~~D~~E)(1) The basis for the minimum annual requirement of in‑service training is the calendar year. A coroner who satisfactorily completes the basic training session in accordance with the provisions of subsection ~~(B)~~(C) is excused from the minimum annual training requirements of subsection ~~(C)~~(D) for the calendar year in which the basic training session is completed.

 (2) The Board of Directors of the South Carolina Coroners Association, in its discretion, may grant a waiver of the requirements of the annual in‑service training upon presentation of evidence by a coroner that he was unable to complete the training due to an emergency or extenuating circumstances.

 (3) A coroner who fails to complete the minimum annual in‑service training required by this section may be suspended from office, without pay, by the Governor for ninety days. The Governor may continue to suspend a coroner until ~~he~~ the coroner completes the annual minimum in‑service training required in this section. The Governor ~~must~~ shall appoint, at the time of the coroner’s suspension, a qualified person to perform as acting coroner during the suspension.

 (~~E~~F) ~~The provisions of items (4) and (5) of subsection (A) do not apply to a coroner serving on April 20, 1995, during his tenure in office~~ A coroner in office on the effective date of this section is exempt from the provisions of this section except for the provisions of subsection (D).

 (~~F~~G) The Director of the Department of Public Safety ~~must~~ shall appoint a Coroners Training Advisory Committee to assist in the determination of training requirements for coroners and deputy coroners. The committee must consist of no fewer than five coroners and at least one physician trained in forensic pathology as recommended by the South Carolina Coroners Association. The members of the committee ~~must~~ shall serve without compensation.

 (~~G~~H) Expenses of all training authorized or required by this section must be paid by the county the coroner or deputy coroner serves, and the South Carolina Law Enforcement Training Council is authorized to set and collect fees for this training.”

 SECTION 2. Article 3, Chapter 5, Title 17 of the 1976 Code is amended by adding:

 “Section 17-5-115. (A) A person appointed by a coroner to the position of deputy coroner may, at the discretion of the coroner, attend the South Carolina Criminal Justice Academy to be trained and certified as a Class III officer.

 (B) A law enforcement officer, as defined by Section 23-23-10(E)(1), who is certified by the South Carolina Law Enforcement Training Council and appointed to serve as a deputy coroner, may, at the discretion of the coroner, retain law enforcement status as a Class III officer.

 (C) The classification is limited to the deputy coroner’s official duties as provided by law and does not authorize the officer to enforce the state’s general criminal laws.”

 SECTION 3. This act takes effect on January 1, 2011. /

 Renumber sections to conform.

 Amend title to conform.

 The committee amendment was adopted.

 Senator LEVENTIS objected to further consideration of the Bill.

**CARRIED OVER**

H. 3964 -- Reps. Duncan, Ott, Vick, Loftis and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 21, TITLE 46 SO AS TO UPDATE AND CLARIFY SEED ARBITRATION PROCEDURES; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 46, RELATING TO GENERAL PROVISIONS OF SEED AND PLANT CERTIFICATION, SO AS TO REPLACE OBSOLETE DEFINITIONS, TO REVISE ENFORCEMENT MECHANISMS, TO CLARIFY LICENSING PROCEDURES, AND TO PROVIDE EXEMPTIONS; TO AMEND ARTICLE 3, CHAPTER 21, TITLE 46, RELATING TO LABELS AND TAGS REGARDING SEEDS AND PLANTS, SO AS TO REVISE THE LABELING REQUIREMENTS FOR SEED PRODUCTS, AND TO IMPOSE ADDITIONAL PROHIBITIONS; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 46, RELATING TO ANALYSES AND TESTS REGARDING SEEDS AND PLANTS, SO AS TO DELETE REDUNDANT PROVISIONS, TO PROVIDE THAT DEPARTMENT OF AGRICULTURE OFFICIALS SHALL HAVE ACCESS TO SEED RECORDS AND SAMPLES, TO PROVIDE THAT SEED RECORDS SHALL BE MAINTAINED FOR TWO YEARS, AND TO CLARIFY WHO IS ENTITLED TO FREE SEED TESTING AT THE STATE SEED LABORATORY; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 46, RELATING TO WITHDRAWAL, CONFISCATION, AND SALE OF SEEDS REGARDING SEEDS AND PLANTS, SO AS TO INCREASE PENALTIES FOR VIOLATIONS FROM A MAXIMUM OF ONE HUNDRED DOLLARS FOR EACH VIOLATION TO ONE THOUSAND DOLLARS FOR EACH VIOLATION, TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL IN PROSECUTING VIOLATIONS, AND TO PROVIDE FOR INJUNCTIVE RELIEF TO PREVENT VIOLATIONS; TO AMEND ARTICLE 9, CHAPTER 21, TITLE 46, RELATING TO SEED AND PLANT CERTIFICATION, SO AS TO CLARIFY CLEMSON UNIVERSITY’S SEED AND PLANT CERTIFICATION AUTHORITY; AND TO REPEAL ARTICLE 11, CHAPTER 21, TITLE 46 RELATING TO SEED IRISH POTATOES IN CHARLESTON COUNTY.

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

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

**CONCURRENCE**

 S. 170 -- Senators Cleary and Rose: A BILL TO AMEND TITLE 63, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑17‑385 TO AUTHORIZE THE FAMILY COURT TO ISSUE A RULE TO SHOW CAUSE UPON THE FILING OF AN AFFIDAVIT THAT A PARENT HAS FAILED TO PAY COURT‑ORDERED SUPPORT, OTHER THAN PERIODIC PAYMENT OF FUNDS FOR THE SUPPORT OF THE CHILD, TO PROVIDE FOR SERVICE BY REGULAR MAIL, TO PROVIDE THAT THE AFFIDAVIT AND CERTAIN OTHER DOCUMENTATION IS PRIMA FACIE EVIDENCE OF NONPAYMENT, SHIFTING THE BURDEN OF PROOF, AND TO PROVIDE A DEFENSE.

 The House returned the Bill with amendments.

 On motion of Senator CLEARY, 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.

**SENATE CONCURRED IN HOUSE AMENDMENT**

**MOTION TO RECONSIDER MOTION TO CONCUR PENDING**

**CARRIED OVER**

 H. 3584 -- Reps. Harrell, Bingham, Cooper, Harrison, Owens, Sandifer, White, Crawford, Bannister, Huggins, Sottile, Spires, Herbkersman, Loftis, Bowen, Erickson, Daning, Hardwick, J.R. Smith, Pinson, Toole, Brady, Clemmons, Edge, Forrester, Frye, Gullick, Hearn, Hiott, Horne, Kelly, Littlejohn, Long, E.H. Pitts, Rice, Skelton, D.C. Smith, G.M. Smith, Whitmire, Wylie, Gunn, Limehouse, Willis, J.E. Smith and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑21‑625 SO AS TO IMPOSE A SURTAX ON EACH CIGARETTE IN AN AMOUNT OF TWO AND ONE‑HALF CENTS, PROVIDE FOR THE CREDITING OF THE REVENUE FROM THE SURTAX TO THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE DEPARTMENT OF AGRICULTURE FOR MARKETING AND BRANDING STATE‑GROWN CROPS AND TO ASSIST IN RELIEF FROM NATURAL DISASTERS AFFECTING STATE-GROWN CROPS, THE SOUTH CAROLINA HEALTHY FAMILIES INSURANCE TRUST FUND, AND THE PALMETTO HEALTH CARE SAFETY NET TRUST FUND, PROVIDE FOR REPORTING, PAYMENT, COLLECTION, AND ENFORCEMENT OF THE SURTAX, AND DEFINE “CIGARETTE”; TO AMEND SECTION 12‑21‑620, RELATING TO THE ORIGINAL CIGARETTE TAX, SO AS TO CONFORM DEFINITIONS; BY ADDING SECTION 11‑11‑230 SO AS TO CREATE AND ESTABLISH IN THE STATE TREASURY THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE SOUTH CAROLINA HEALTHY FAMILIES INSURANCE TRUST FUND, AND THE PALMETTO HEALTH CARE SAFETY NET TRUST FUND, ALL SO AS TO RECEIVE DEPOSITS OF THE REVENUES FROM THE CIGARETTE SURTAX AS SPECIFIED; BY ADDING CHAPTER 62 TO TITLE 38 SO AS TO CREATE AND ESTABLISH THE SOUTH CAROLINA HEALTHY FAMILIES INSURANCE PLAN, PROVIDING FOR A PREMIUM CREDIT NOT TO EXCEED THREE THOUSAND DOLLARS TO AN ELIGIBLE INDIVIDUAL OR EMPLOYER TOWARD THE PURCHASE OF A QUALIFYING HEALTH INSURANCE PLAN, DESCRIBING ELIGIBILITY REQUIREMENTS AND THE CERTIFICATION PROCESS, DEFINING THE QUALIFYING INDIVIDUALLY OR EMPLOYER‑SPONSORED INSURANCE PLANS, AND PROVIDING FOR ADMINISTRATION AND REPORTING BY THE DEPARTMENT OF INSURANCE; AND BY ADDING SECTION 38‑74‑75 SO AS TO CREATE THE PALMETTO HEALTH CARE SAFETY NET PROGRAM, ESTABLISHING A SELF‑SUSTAINING AND FINANCIALLY INDEPENDENT PORTION OF THE PREMIUM ASSISTANCE POOL, AND PROVIDING FOR ELIGIBILITY REQUIREMENTS, ADMINISTRATION, AND REPORTING BY THE DEPARTMENT OF INSURANCE AND OPERATING GUIDELINES.

 The House returned the Bill with amendments.

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

 There was no objection.

 On motion of Senator LEATHERMAN, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly.

 Having voted on the prevailing side, Senator MALLOY moved to reconsider the vote whereby the motion to concur in the House amendments was adopted.

 Senator LARRY MARTIN moved to table the motion.

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

**Ayes 15; Nays 23**

**AYES**

Alexander Campbell Campsen

Cleary Cromer Fair

Hayes Knotts Leatherman

Leventis *Martin, Larry* Massey

McGill O’Dell Rankin

**Total--15**

**NAYS**

Anderson Bright Bryant

Coleman Courson Davis

Ford Grooms Hutto

Jackson Malloy *Martin, Shane*

McConnell Mulvaney Nicholson

Peeler Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--23**

 The Senate refused to table the motion to reconsider. The question then was the motion to reconsider the motion to concur.

 Senator McCONNELL moved to carry over the Bill.

 The Bill was carried over.

 On motion of Senator McCONNELL, with unanimous consent, the Bill was ordered placed on the Calendar for consideration tomorrow.

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

**MADE SPECIAL ORDER**

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

 Senator LARRY MARTIN moved that the Bill be made a Special Order.

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

**Ayes 35; Nays 6**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

*Martin, Larry* Massey McConnell

McGill Nicholson O’Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--35**

**NAYS**

Bright Bryant Ford

Malloy *Martin, Shane* Mulvaney

**Total--6**

 The Bill was made a Special Order.

**Statement by Senators SHANE MARTIN, BRIGHT, BRYANT**

**and MULVANEY**

 We applaud the efforts to put texting ban legislation on Special Order so we can debate this issue. However, the anti-obamacare legislation (S.987) is far more important to us and other South Carolinians and we feel that we should take up this pressing issue first.

**PRESIDENT *Pro Tempore* PRESIDES**

 Senator McCONNELL assumed the Chair.

**MOTION ADOPTED**

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

 **MOTION ADOPTED**

 On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Lou Scott of Hartsville, S.C. Ms. Scott was the founder of the Darlington County Department of Disabilities and Special Needs.

**ADJOURNMENT**

 At 1:59 P.M., on motion of Senator LARRY MARTIN, the Senate adjourned to meet tomorrow at 2:00 P.M.

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