**Wednesday, January 13, 2010**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

The Psalmist declares:

“Be strong, and let your heart take courage, all you who wait for the Lord.” (Psalm 31:24)

Let us pray:

The challenges of these difficult days are so overwhelming, Lord. At times we find ourselves tempted to throw up our hands in despair, to avoid the enormous and even frightening issues that stare us in the face here in the year 2010. Yet that is not what leadership entails, we know. And it is not what the people of our State can afford to experience in this day and time. Therefore, dear God, strengthen each of these Senators and all others who work conscientiously in this State House. May all of these servants together resolve to trust You, to listen while You speak to them, and finally to honor You with their decisions and their plans for South Carolina. Indeed, O God, make these Senators strong; give them courage. Also, give courage and hope to the millions of our sisters and brothers in Haiti, especially around Port Au Prince, in the event of the frightening, massive earthquake which has devastated their world. Grant them hope. In Your loving name we pray, Lord.

Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Mark C. Sanford:

**Local Appointment**

Initial Appointment, Savannah River Site Redevelopment Authority, with the term to commence October 21, 2008, and to expire October 21, 2012

Aiken County:

Thomas W. Greene, 1919 Byrnes Rd., North Augusta, SC 29841 *VICE* Jeff Spears

**REGULATIONS RECEIVED**

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

Document No. 4097

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-10 et seq., 38-3-110(2) and 38-43-106

SUBJECT: Continuing Insurance Education

Received by Lieutenant Governor January 12, 2010

Referred to Banking and Insurance Committee

Legislative Review Expiration May 12, 2010

Document No. 4098

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 38-3-110, 38-13-80, 38-90-150 and 38-90-630

SUBJECT: Annual Audited Financial Reporting Regulation

Received by Lieutenant Governor January 12, 2010

Referred to Banking and Insurance Committee

Legislative Review Expiration May 12, 2010

Document No. 4099

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-10 et seq., 38-2-10, 38-3-110(2), 38-39-60, 38-43-80, 38-43-130, 38-45-50, 38-47-40, 38-48-160, 38-49-20, 38-53-20, 38-70-50 and 38-78-110

SUBJECT: Dates for Payment of Annual License Fees/Appointment Fees for Insurance Agents, Brokers, Adjusters, Agencies, and Motor Vehicle Damage Appraisers

Received by Lieutenant Governor January 12, 2010

Referred to Banking and Insurance Committee

Legislative Review Expiration May 12, 2010

**Leave of Absence**

On motion of Senator BRYANT, at 1:05 P.M., Senator RYBERG was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator JACKSON, at 2:45 P.M., Senator LOURIE was granted a leave of absence until 11:00 A.M. tomorrow.

**Leave of Absence**

At 2:45 P.M., Senator JACKSON requested a leave of absence until 11:00 A.M. tomorrow.

**Leave of Absence**

At 5:00 P.M., Senator FORD requested a leave of absence beginning at 6:00 P.M. and lasting until 11:00 P.M.

**Leave of Absence**

At 5:35 P.M., Senator RANKIN requested a leave of absence until Noon on Tuesday.

**Leave of Absence**

At 5:40 P.M., Senator SHOOPMAN requested a leave of absence beginning at 6:00 P.M. this evening and lasting until 8:00 A.M. tomorrow.

**Leave of Absence**

At 5:55 P.M., Senator THOMAS requested a leave of absence beginning at 6:15 P.M. this evening and lasting until 10:00 A.M. tomorrow.

**Leave of Absence**

At 5:40 P.M., Senator COURSON requested a leave of absence beginning at 6:00 P.M. this evening and lasting until 8:00 A.M. tomorrow.

**Doctor of the Day**

Senator HUTTO introduced Dr. Gary A. Delaney of Orangeburg, S.C., Doctor of the Day.

**CO-SPONSORS ADDED**

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

S. 949 Sen. Leventis

S. 1032 Sens. O’Dell, Hayes, Courson

**RECALLED**

S. 963 -- Senators Knotts, Cromer, Courson and Setzler: A BILL TO AMEND SECTION 7‑7‑380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LEXINGTON COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF LEXINGTON 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.

Senator KNOTTS asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1042 -- Senators Knotts, Reese, Williams, O'Dell, Cromer, Grooms, Ford, Campbell, McGill, Bright, Verdin, Elliott, Mulvaney, Bryant, S. Martin, Ryberg, Nicholson, Matthews and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT A TEACHER WHO DISCIPLINES A CHILD ON SCHOOL DISTRICT PROPERTY BY MEANS OF CORPORAL PUNISHMENT WHILE ACTING WITHIN THE SCOPE OF HIS EMPLOYMENT IS IMMUNE FROM ALL CIVIL AND CRIMINAL LIABILITY THAT MAY ARISE FROM THE INCIDENT, AND TO FURTHER EXTEND IMMUNITY FROM LIABILITY TO THE PRINCIPAL, SCHOOL, SCHOOL ADMINISTRATORS, SCHOOL DISTRICT, AND SCHOOL DISTRICT ADMINISTRATORS FOR WHICH THE TEACHER IS EMPLOYED.

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

S. 1043 -- Senator Cleary: A BILL TO AMEND CHAPTER 5, TITLE 50 OF THE 1976 CODE, RELATING TO THE MARINE RESOURCES ACT, BY ADDING SECTION 50-5-17 TO ESTABLISH THE FLOUNDER POPULATION STUDY PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF NATURAL RESOURCES TO CLARIFY THE LOCATION IN WHICH THE PROGRAM WILL OPERATE, TO CLARIFY THAT PROHIBITED ARTIFICIAL ILLUMINATION IS GENERATED BY MOTOR FUEL POWERED GENERATORS, AND TO PROVIDE THAT THE PROGRAM WILL END ON JUNE 30, 2014; AND TO REPEAL SECTION 50-5-2017 OF THE 1976 CODE, AS ADDED BY ACT 47 OF 2009.

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

S. 1044 -- Senators Knotts, Anderson, Reese, O'Dell, Leventis, McGill, Jackson, Bright, S. Martin, Land, Cromer, Ford, Grooms, Ryberg, Hayes, Mulvaney, Williams, McConnell, Verdin, Setzler, Lourie, Peeler, Nicholson, Matthews and Hutto: A BILL TO AMEND SECTION 63-3-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF THE FAMILY COURT, INCLUDING JURISDICTION TO ORDER VISITATION FOR GRANDPARENTS, SO AS TO PROVIDE THAT IF THE COURT FINDS THAT THE CHILD'S PARENTS ARE DEPRIVING THE GRANDPARENT VISITATION WITH THE CHILD AND THAT IT IS IN THE CHILD'S BEST INTEREST TO HAVE VISITATION WITH THE GRANDPARENT, THE COURT MAY ORDER THE VISITATION.

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

S. 1045 -- Senator Massey: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 2010 AS "NATIONAL CHILDREN'S DENTAL HEALTH MONTH" AND FRIDAY, FEBRUARY 5, 2010, AS "GIVE KIDS A SMILE DAY" IN SOUTH CAROLINA, IN ORDER TO PROMOTE ORAL HEALTH AND JOIN IN THE EFFORTS THROUGHOUT THE NATION TO ADVOCATE FOR ORAL HEALTH AWARENESS AND OPTIMAL ORAL HEALTH IN CHILDREN.

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

S. 1046 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PINEVIEW DIXIE YOUTH MINOR LEAGUE ALL-STAR BASEBALL TEAM FOR ITS IMPRESSIVE WIN OF THE 2009 CLASS AAA DIXIE YOUTH STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS AND COACHES ON AN OUTSTANDING SEASON.

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The Senate Resolution was adopted.

S. 1047 -- Senator Setzler: A SENATE RESOLUTION TO HONOR AND CONGRATULATE MR. AND MRS. ODIS LLOYD HARMON, JR. OF LEXINGTON COUNTY UPON THE OCCASION OF THEIR SIXTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT TOGETHER.

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The Senate Resolution was adopted.

S. 1048 -- Senator Pinckney: A SENATE RESOLUTION TO RECOGNIZE AND HONOR IVY RICHARDSON OF JASPER COUNTY UPON BEING NAMED THE JASPER COUNTY SCHOOL DISTRICT TEACHER OF THE YEAR, AND TO EXTEND SINCERE APPRECIATION FOR HER MANY OUTSTANDING CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1049 -- Senator Pinckney: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF PAUL DARGAN GILL, JR. OF RIDGELAND AND TO EXTENDTHE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1050 -- Senator Pinckney: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MRS. LENORA JOHNSON WASHINGTON OF COLLETON COUNTY UPON THE OCCASION OF HER CENTENNIAL BIRTHDAY AND TO WISH HER MUCH HEALTH AND HAPPINESS.

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The Senate Resolution was adopted.

H. 4087 -- Rep. Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 53, TITLE 59 SO AS TO CREATE THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION AND TO PROVIDE FOR ITS MEMBERSHIP.

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

**H. 4087--Recalled**

Senator FAIR asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

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

H. 4105 -- Rep. J. H. Neal: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES CABIN CREEK ALONG CLARKSON ROAD IN RICHLAND COUNTY THE "CANDACY-DARCEL SANDERS CROSSING BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "CANDACY-DARCEL SANDERS CROSSING BRIDGE".

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

H. 4219 -- Reps. Harrison, R. L. Brown and Cato: A CONCURRENT RESOLUTION TO CENSURE MARSHALL C. SANFORD, JR., GOVERNOR OF SOUTH CAROLINA, FOR DERELICTION IN HIS DUTIES OF OFFICE, FOR OFFICIAL MISCONDUCT IN OFFICE, AND FOR ABUSES OF POWER WHILE IN OFFICE THAT HAS BROUGHT RIDICULE, DISHONOR, SHAME, AND DISGRACE TO HIMSELF, THE STATE OF SOUTH CAROLINA, AND TO ITS CITIZENS.

Senators L. MARTIN and KNOTTS spoke on the Resolution.

**H. 4219--Objection**

Senator L. MARTIN asked unanimous consent that the Concurrent Resolution be placed on the Calendar without reference.

Senator KNOTTS objected.

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

H. 4289 -- Rep. Harrell: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, MARSHALL CLEMENT (MARK) SANFORD, JR., GOVERNOR OF THIS STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 20, 2010, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

On motion of Senator L. MARTIN, with unanimous consent, the Concurrent Resolution was adopted and returned to the House.

H. 4293 -- Reps. Delleney, Clemmons and Mack: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2010, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 5, WHOSE TERM EXPIRES JULY 31, 2010; TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE COURT OF APPEALS, SEAT 5, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 8, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SECOND JUDICIAL CIRCUIT, SEAT 1 TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 4, TO FILL THIS SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SEVENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SEVENTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TWELFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR OF A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO THE FAMILY COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, TO FILL THE UNEXPIRED TERM WHICH EXPIRES JUNE 30, 2011, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016.

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

H. 4295 -- Reps. Miller and Anderson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DWIGHT MCINVAILL OF GEORGETOWN COUNTY AND TO CONGRATULATE HIM UPON RECEIVING THE CARNEGIE CORPORATION OF NEW YORK/NEW YORK TIMES I LOVE MY LIBRARIAN AWARD.

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

H. 4311 -- Reps. Govan, Ott, Cobb-Hunter, Hosey, Clyburn, Sellers, Spires, 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, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, 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 HONOR AND COMMEND THE ATHLETES OF THE SOUTH CAROLINA STATE UNIVERSITY FOOTBALL TEAM OF ORANGEBURG COUNTY FOR COMPLETING A SUCCESSFUL SEASON AND TO CONGRATULATE THEIR COACHES, SCHOOL OFFICIALS, AND FOOTBALL PLAYERS FOR CAPTURING THE 2009 MID-EASTERN ATHLETIC CONFERENCE CHAMPIONSHIP TITLE.

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

H. 4313 -- Reps. T. R. Young, Agnew, J. R. Smith, Frye, Hardwick, Gambrell, 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, Funderburk, Gilliard, Govan, Gunn, Haley, Hamilton, 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, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie and A. D. Young: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SYMPATHY OF THE GENERAL ASSEMBLY UPON THE DEATH OF GRADY L. PATTERSON, JR., TO HONOR HIS LONG HISTORY OF SERVICE AND DEDICATION TO THE STATE OF SOUTH CAROLINA AND TO THE COUNTRY, AND TO REMEMBER AND APPRECIATE HIS WORK AS THE STATE TREASURER OF SOUTH CAROLINA AND THE LEGACY HE LEAVES BEHIND FOR ALL SOUTH CAROLINIANS.

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

H. 4314 -- Reps. Huggins, Ballentine and McLeod: A CONCURRENT RESOLUTION TO CONGRATULATE THE CHAPIN HIGH SCHOOL COMPETITIVE CHEERLEADING TEAM ON ITS IMPRESSIVE WIN OF THE SOUTH CAROLINA HIGH SCHOOL LEAGUE'S 2009 CLASS AAA STATE CHEERLEADING CHAMPIONSHIP, AND TO HONOR THE TEAM, HEAD COACH VICKI WILLIAMS, AND ASSISTANT COACH BILLIE WILLIAMS ON ANOTHER OUTSTANDING SEASON.

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

H. 4317 -- Reps. Harrell, Limehouse and Sottile: A CONCURRENT RESOLUTION TO COMMEND AND CONGRATULATE LUCY G. BECKHAM, PRINCIPAL OF WANDO HIGH SCHOOL IN MOUNT PLEASANT, FOR BEING NAMED THE 2010 NATIONAL HIGH SCHOOL PRINCIPAL OF THE YEAR AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN HER FUTURE ENDEAVORS.

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

H. 4320 -- Rep. Millwood: A CONCURRENT RESOLUTION TO CONGRATULATE BRIGADIER GENERAL STEPHEN M. TWITTY OF THE U.S. ARMY UPON THE OCCASION OF HIS PROMOTION TO BRIGADIER GENERAL, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED MILITARY SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

H. 4323 -- Reps. J. E. Smith, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, 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, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO CONGRATULATE KARIS MAZYCK OF RICHLAND COUNTY ON BEING NAMED THE 2010 MIDDLE SCHOOL ASSISTANT PRINCIPAL OF THE YEAR FOR THE STATE OF SOUTH CAROLINA, TO COMMEND HER FOR HER YEARS OF DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA, AND TO WISH HER MUCH SUCCESS IN ALL HER FUTURE ENDEAVORS.

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

**REPORTS OF STANDING COMMITTEES**

Senator CROMER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 1027 -- Senator McGill: A BILL TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, BY ADDING SECTION 50‑11‑770 TO ENACT “THE RENEGADE HUNTER ACT”, TO PROHIBIT USING DOGS TO HUNT ON PROPERTY WITHOUT PERMISSION OF THE LANDOWNER, AND TO PROVIDE APPROPRIATE PENALTIES.

**S. 1027--Read the Second Time, Carrying Over All Amendments**

S. 1027 -- Senator McGill: A BILL TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, BY ADDING SECTION 50‑11‑770 TO ENACT “THE RENEGADE HUNTER ACT”, TO PROHIBIT USING DOGS TO HUNT ON PROPERTY WITHOUT PERMISSION OF THE LANDOWNER, AND TO PROVIDE APPROPRIATE PENALTIES.

Senator McGILL asked unanimous consent to take the report up for immediate consideration.

There was no objection.

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

Senator McGILL asked unanimous consent to give the Bill a second reading, carrying over all amendments to third reading.

There was no objection.

The Bill was read the second time, carrying over all amendments, and placed on the Third Reading Calendar for consideration tomorrow.

Senator ALEXANDER from the General Committee polled out H. 3488 favorable:

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

**Poll of the General Committee**

**Polled 17; Ayes 17; Nays 0; Not Voting 0**

**AYES**

Alexander O’Dell L. Martin

Knotts Ford Sheheen

Reese Lourie Bryant

Bright Cleary Coleman

Cromer Hayes Jackson

Scott Shoopman

**Total--17**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

S. 1015 -- Senators Campbell, Campsen and Grooms: A CONCURRENT RESOLUTION CONGRATULATING THE WASSAMASAW TRIBE OF VARNERTOWN INDIANS OF SOUTH CAROLINA ON THE HIGHEST HONOR OF ITS RECOGNITION AS A “TRIBE” BY THE SOUTH CAROLINA COMMISSION FOR MINORITY AFFAIRS ON OCTOBER 9, 2009.

Returned with concurrence.

Received as information.

S. 1016 -- Senator Knotts: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE LEXINGTON COUNTY GIRLS CLASSIC SOCCER TEAM, THE LCSC UNITED 92G WHITE, FOR ITS OUTSTANDING SEASON AND FOR CAPTURING THE PRESIDENTS MEDAL SOCCER LEAGUE STATE CUP FOR THE U17 GIRLS CLASSIC DIVISION, AND TO HONOR THE TEAM’S EXCEPTIONAL PLAYERS AND COACHES.

Returned with concurrence.

Received as information.

S. 1017 -- Senators Campsen, Leatherman, McConnell, Grooms, Campbell and Bryant: A CONCURRENT RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA DEPARTMENT OF COMMERCE UPON RECEIVING THE ECONOMIC DEAL OF THE YEAR AWARD BY “BUSINESS FACILITIES” MAGAZINE.

Returned with concurrence.

Received as information.

S. 1019 -- Senators Courson and Lourie: A CONCURRENT RESOLUTION TO CONGRATULATE DR. KAPPY D. CANNON, PRINCIPAL OF FOREST LAKE ELEMENTARY TECHNOLOGY MAGNET SCHOOL IN RICHLAND SCHOOL DISTRICT TWO, ON BEING NAMED 2010 SOUTH CAROLINA ELEMENTARY SCHOOL PRINCIPAL OF THE YEAR BY THE SOUTH CAROLINA ASSOCIATION OF SCHOOL ADMINISTRATORS.

Returned with concurrence.

Received as information.

S. 1020 -- Senators Courson, Fair and Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE MR. LANCE C. RADFORD OF GREENVILLE COUNTY ON BEING NAMED 2010 SOUTH CAROLINA HIGH SCHOOL PRINCIPAL OF THE YEAR, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA, AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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

**ADOPTED**

S. 1018 -- Senators Jackson, Lourie and Courson: A CONCURRENT RESOLUTION TO REQUEST THE GOVERNING BODY OF THE CITY OF COLUMBIA TO SET A DATE FOR AN ELECTION SO THAT THE ELECTORS OF THE CITY MAY VOTE TO CHANGE THE FORM OF GOVERNMENT FROM THE COUNCIL‑MANAGER FORM PRESENTLY USED BY THE CITY TO THE MAYOR‑COUNCIL FORM OF GOVERNMENT.

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

**Recorded Vote**

Senator SCOTT desired to be recorded as voting against the adoption of the Concurrent Resolution.

S. 1037 -- Senators McConnell, Knotts and Nicholson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2010, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 5, WHOSE TERM EXPIRES JULY 31, 2010; TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE COURT OF APPEALS, SEAT 5, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT‑LARGE, SEAT 8, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SECOND JUDICIAL CIRCUIT, SEAT 1, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 4, TO FILL THIS SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SEVENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SEVENTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TWELFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR OF A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO THE FAMILY COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, TO FILL THE UNEXPIRED TERM WHICH EXPIRES JUNE 30, 2011, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016.

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

H. 4078 -- Reps. Clyburn, T.R. Young and J.R. Smith: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 19 THAT RUNS THROUGH THE CITY OF AIKEN “DR. MARTIN LUTHER KING, JR. MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “DR. MARTIN LUTHER KING, JR. MEMORIAL HIGHWAY”.

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

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

**MOTION ADOPTED**

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

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

**CARRIED OVER**

S. 202 -- Senator Thomas: A BILL TO AMEND SECTION 38‑1‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38 RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO AMEND THE DEFINITION OF “ADMITTED ASSETS” TO INCLUDE THOSE ON THE INSURER’S MOST RECENT STATUTORY FINANCIAL STATEMENT FILED WITH THE DEPARTMENT OF INSURANCE PURSUANT TO THE PROVISIONS OF SECTION 38‑13‑80 INSTEAD OF THOSE ADMITTED UNDER THE PROVISIONS OF SECTION 38‑11‑100; TO AMEND SECTION 38‑9‑10, RELATING TO CAPITAL AND SURPLUS REQUIRED OF STOCK INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES THAT MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38‑9‑20, RELATING TO THE SURPLUS REQUIRED OF MUTUAL INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES WHICH MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38‑9‑210, RELATING TO THE REDUCTION FROM LIABILITY FOR THE REINSURANCE CEDED BY A DOMESTIC INSURER, SO AS TO CHANGE THE SECURITIES LISTED THAT QUALIFY AS SECURITY; TO AMEND SECTION 38‑10‑40, RELATING TO THE PROTECTED CELL ASSETS OF A PROTECTED CELL, SO AS TO CHANGE A CODE REFERENCE; TO AMEND SECTION 38‑33‑130, RELATING TO THE SECURITY DEPOSIT OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO DELETE THE REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL ISSUE A CONVERSION POLICY TO AN ENROLLEE UPON THE TERMINATION OF THE ORGANIZATION; AND TO AMEND SECTION 38‑55‑80, RELATING TO LOANS TO DIRECTORS OR OFFICERS BY AN INSURER, SO AS TO CHANGE A CODE REFERENCE.

The House returned the Bill with amendments. The question then was the question of concurrence.

Senator THOMAS explained the amendments.

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

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**AMENDMENT PROPOSED, DEBATE INTERRUPTED**

S. 424 -- Senators Bright, S. Martin, Alexander, Campbell, Fair, Knotts, Cromer, Mulvaney, Verdin, L. Martin, Shoopman, Rose, McConnell, Thomas, Cleary, Courson, Coleman, Davis, Reese, Campsen, Grooms, Ryberg, Peeler, O’Dell, Bryant and Massey: A CONCURRENT RESOLUTION TO AFFIRM THE RIGHTS OF ALL STATES INCLUDING SOUTH CAROLINA BASED ON THE PROVISIONS OF THE NINTH AND TENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of Amendment No. 11A (424R018.MTR) proposed by Senators BRIGHT, ROSE, MULVANEY, McCONNELL, SHOOPMAN, L. MARTIN, COURSON, CAMPBELL, O’DELL, GROOMS, DAVIS, FAIR, S. MARTIN, PEELER, CROMER, ALEXANDER, MASSEY, VERDIN, BRYANT, HAYES, RYBERG, CLEARY, RANKIN and CAMPSEN and previously printed in the Journal of Tuesday, January 12, 2010.

Senator MULVANEY argued in favor of the adoption of the amendment.

**ACTING PRESIDENT PRESIDES**

At 2:14 P.M., Senator L. MARTIN assumed the Chair.

Senator MULVANEY argued in favor of the adoption of the amendment.

**RECESS**

At 2:21 P.M., with Senator MULVANEY retaining the floor, on motion of Senator VERDIN, the Senate receded from business not to exceed ten minutes.

At 2:38 P.M., the Senate resumed.

Senator MULVANEY argued in favor of the adoption of the amendment.

**RECESS**

At 2:39 P.M., with Senator MULVANEY retaining the floor, on motion of Senator McCONNELL, the Senate receded from business subject to the call of the Chair.

At 3:45 P.M., the Senate resumed.

**PRESIDENT *Pro Tempore* PRESIDES**

At 3:46 P.M., Senator McCONNELL assumed the Chair.

Senator MULVANEY argued in favor of the adoption of the amendment.

**ACTING PRESIDENT PRESIDES**

At 3:50 P.M., Senator L. MARTIN assumed the Chair.

Senator MULVANEY argued in favor of the adoption of the amendment.

Senator HUTTO argued contra to the adoption of the amendment.

**Objection**

Senator HUTTO asked unanimous consent to make a motion to take up a further amendment for immediate consideration.

Senator BRIGHT objected.

Senator HUTTO resumed arguing contra to the adoption of the amendment.

**Objection**

With Senator HUTTO retaining the floor, Senator FORD asked unanimous consent to make a motion to take up a further amendment for immediate consideration.

Senator SHOOPMAN objected.

Senator HUTTO resumed arguing contra to the adoption of the amendment.

**PRESIDENT *Pro Tempore* PRESIDES**

At 5:11 P.M., Senator McCONNELL assumed the Chair.

Senator HUTTO argued contra to the adoption of the amendment.

**Point of Quorum**

At 5:22 P.M., Senator MATTHEWS made the point that a quorum was not present. It was ascertained that a quorum was present.

The Senate resumed.

Senator HUTTO resumed arguing contra to the adoption of the amendment.

**Point of Quorum**

At 5:27 P.M., Senator L. MARTIN made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Malloy *Martin, L. Martin, S.*

Massey Matthews McConnell

McGill Mulvaney Nicholson

Peeler Pinckney Rankin

Reese Rose Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

A quorum being present, the Senate resumed.

Senator HUTTO resumed speaking contra to the adoption of the amendment.

**Motion Under Rule 15A Failed**

At 5:31 P.M., Senator L. MARTIN moved under the provisions of Rule 15A to vote on the entire matter of S. 424.

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

**Ayes 22; Nays 19**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

*Martin, L. Martin, S.* Massey

McConnell Mulvaney Peeler

Rose Shoopman Thomas

Verdin

**Total--22**

**NAYS**

Anderson Elliott Ford

Hutto Jackson Knotts

Land Leventis Malloy

Matthews McGill Nicholson

Pinckney Rankin Reese

Scott Setzler Sheheen

Williams

**Total--19**

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Senator HUTTO resumed speaking contra to the adoption of the amendment.

**Objection**

With Senator HUTTO retaining the floor, Senator SETZLER asked unanimous consent to make a motion that the Senate stand adjourned.

Senator FAIR objected.

Senator HUTTO resumed speaking contra to the adoption of the amendment.

**Objection**

With Senator HUTTO retaining the floor, Senator FORD asked unanimous consent to make a motion that the Senate stand adjourned.

Senator MULVANEY objected.

Senator HUTTO resumed arguing contra to the adoption of the amendment.

At 5:43 P.M., Senator HUTTO moved that the Senate stand adjourned.

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

**Ayes 17; Nays 23**

**AYES**

Anderson Cleary Elliott

Ford Hutto Jackson

Land Leventis Malloy

Matthews Nicholson Pinckney

Reese Scott Setzler

Sheheen Williams

**Total--17**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Courson

Cromer Davis Fair

Grooms Hayes Knotts

*Martin, L. Martin, S.* Massey

McConnell McGill Mulvaney

Peeler Rose Shoopman

Thomas Verdin

**Total--23**

The Senate refused to adjourn.

Senator HUTTO was recognized.

**ACTING PRESIDENT PRESIDES**

At 6:16 P.M., Senator L. MARTIN assumed the Chair.

Senator HUTTO resumed arguing contra to the adoption of the amendment.

Senator HUTTO moved that the Senate stand adjourned.

**Recorded Vote**

Senators BRYANT, S. MARTIN, BRIGHT and MULVANEY desired to be recorded as voting against the motion to adjourn.

Debate was interrupted by adjournment.

**LOCAL APPOINTMENT**

**Confirmation**

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

Initial Appointment, Savannah River Site Redevelopment Authority, with the term to commence October 21, 2008, and to expire October 21, 2012

Aiken County:

Thomas W. Greene, 1919 Byrnes Rd., North Augusta, SC 29841 *VICE* Jeff Spears

**MOTION ADOPTED**

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Loretta Simpkins of Columbia, S.C., a tireless advocate with the S.C. Trial Lawyers Association, wonderful mother and doting grandmother.

and

**MOTION ADOPTED**

On motion of Senators ALEXANDER and L. MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Alexander McKeown of Chester, S.C., owner of Mac’s Drive-in at Clemson. Mr. McKeown was a beloved husband and family man. He was a devoted Clemson supporter who was blessed with many friends.

**ADJOURNMENT**

At 6:38 P.M., on motion of Senator HUTTO, the Senate adjourned to meet tomorrow at 11:00 A.M.

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