**Wednesday, January 27, 2010**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 1:30 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 proclaims:

“My mouth will speak in praise of the Lord. Let every creature praise his holy name forever and ever.” (Psalm 145:21)

Enter into prayer with me, please:

O mighty and ever-loving God, we know so well that we cannot alter or often even fight against the laws of nature. Often tragedies such as that which occurred recently in Haiti come about in unavoidable ways, in that instance in the shifting of the earth’s tectonic plates. All we can do is to share Your love and heartfelt concern for those whose worlds are turned upside-down, and to find meaningful ways to respond to the needs of any and all who survive. We North Americans have always done this. Lead us now, Lord, to continue to reach out to those in Haiti who are struggling so desperately. May we share a portion of our abundance with them, and may we in the Senate of South Carolina never cease to pray for those families who have lost loved ones, and for those who are searching for hope in the face of catastrophe. In Your loving name we pray, O Lord.

Amen.

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

**REGULATIONS RECEIVED**

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

Document No. 4102

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Chapter: 71

Statutory Authority: 1976 Code Sections 23-9-40 and 23-9-45

SUBJECT: Portable Fire Extinguishers and Fixed Fire Extinguishing Systems

Received by Lieutenant Governor January 26, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 26, 2010

Document No. 4110

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210

SUBJECT: Regulation of Real Property Owned and Leased by the Department

Received by Lieutenant Governor January 26, 2010

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration May 2

Document No. 4114

Agency: Building Codes Council

Chapter: 8

Statutory Authority: 1976 Code Section 6-8-20

SUBJECT: Inspectors - Registration, Fees and Disciplinary Procedure

Received by Lieutenant Governor January 26, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 26, 2010

**Doctor of the Day**

Senator ALEXANDER introduced Dr. T. Edwin Evans of Seneca, S.C., Doctor of the Day.

**Expression of Personal Interest**

Senator LOURIE rose for an Expression of Personal Interest.

**Leave of Absence**

At 1:53 P.M., Senator FAIR requested a leave of absence beginning at 5:15 P.M. and lasting until 7:00 P.M.

**Leave of Absence**

At 4:45 P.M., Senator FORD requested a leave of absence beginning at 7:00 P.M. and lasting until 9:30 P.M.

**Leave of Absence**

At 6:30 P.M., Senator KNOTTS requested a leave of absence until 9:00 P.M.

**Leave of Absence**

On motion of Senator McCONNELL, at 9:00 P.M., Senator COURSON was granted a leave of absence for the balance of the evening.

**Leave of Absence**

At 10:05 P.M., Senator SHEHEEN requested a leave of absence from 5:00 P.M. - 8:00 P.M. on Thursday, January 28, 2010.

**CO-SPONSORS ADDED**

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

S. 391 Sen. Bright

S. 958 Sen. Rose

S. 1044 Sen. Rose

S. 1053 Sen. Rose

S. 1096 Sens. Nicholson, Setzler, Cleary

**CO-SPONSOR REMOVED**

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

S. 899 Sen. Rose

**RECALLED AND ADOPTED**

H. 4319 -- Reps. Millwood, Mitchell, Allison, Cole, Forrester, Kelly, Littlejohn and Parker: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 11 IN SPARTANBURG COUNTY FROM ITS INTERSECTION WITH THE WESTERN LIMIT OF THE CITY OF CHESNEE TO PARRIS BRIDGE ROAD “GENERAL STEPHEN M. TWITTY HIGHWAY”, AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “GENERAL STEPHEN M. TWITTY HIGHWAY”.

Senator REESE spoke on the Concurrent Resolution.

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

Senator REESE asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

Senators LEVENTIS, KNOTTS, BRIGHT, S. MARTIN and PEELER spoke on the Concurrent Resolution.

On motion of Senator REESE, with unanimous consent, the Concurrent Resolution was adopted, ordered returned to the House with concurrence.

**RECALLED AND COMMITTED**

S. 1054 -- Senators Pinckney and Malloy: A BILL TO AMEND CHAPTER 1, TITLE 4 OF THE 1976 CODE, RELATING TO EXTRAORDINARY COMMERCIAL FACILITIES, BY ADDING SECTION 4‑1‑180 TO ALLOW COUNTIES THAT CREATE A MULTICOUNTY BUSINESS PARK TO DESIGNATE A PORTION OR ALL OF THAT PARK AS A DESIGNATED ECONOMIC DEVELOPMENT SITE FOR EXTRAORDINARY COMMERCIAL FACILITIES.

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

There was no objection and the Bill was recalled from the Committee on Judiciary.

On motion of Senator LEATHERMAN, with unanimous consent, the Bill was committed to the Committee on Finance.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1110 -- Senator Massey: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 58 OF THE 1976 CODE, BY ADDING SECTION 58-3-143 TO ESTABLISH A PROCEDURE BY WHICH A PUBLIC UTILITY PROVIDING WATER, SEWERAGE, OR SEWERAGE DISPOSAL SERVICES TO LESS THAN 1500 CUSTOMERS LOCATED IN ONE COUNTY MUST SUBMIT A RATE INCREASE REQUEST TO THE COUNTY LEGISLATIVE DELEGATION.

l:\s-res\asm\009pscw.mrh.asm.docx

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

S. 1111 -- Senators Campsen, Grooms and Cleary: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 41 IN CHARLESTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17 TO THE CHARLESTON/BERKELEY COUNTY LINE THE "MAJOR GENERAL ABRAHAM J. TURNER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MAJOR GENERAL ABRAHAM J. TURNER HIGHWAY".

l:\council\bills\swb\6018cm10.docx

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

S. 1112 -- Senator Coleman: A BILL TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE FAIRFIELD COUNTY SCHOOL DISTRICT, SO AS TO REQUIRE THE FINANCE COMMITTEE ESTABLISHED BY THIS ACT TO PREPARE THE DISTRICT BUDGET AND TO SUBMIT IT FOR BOARD REVIEW, TO REQUIRE THE BOARD TO SUBMIT THE BUDGET TO THE FAIRFIELD COUNTY COUNCIL FOR APPROVAL, TO AUTHORIZE THE FAIRFIELD COUNTY COUNCIL TO NOTIFY THE COUNTY AUDITOR OF THE AMOUNT OF THE LEVY NEEDED TO OPERATE SCHOOLS IN THE DISTRICT, TO CREATE A FINANCE COMMITTEE TO OVERSEE THE FINANCIAL OPERATIONS OF THE DISTRICT AND TO PROVIDE ITS MEMBERSHIP, DUTIES, AND GOALS, TO PROVIDE FOR THE HIRING OF A FINANCE DIRECTOR FOR THE DISTRICT AND TO PROVIDE HIS RESPONSIBILITIES AND DUTIES, TO PROVIDE FOR THE ABOLITION OF THE FINANCE COMMITTEE AND THE POSITION OF FINANCE DIRECTOR UPON CERTAIN CONDITIONS, AND TO DEFINE THE DUTIES OF BOTH THE BOARD AND THE DISTRICT SUPERINTENDENT.

l:\council\bills\agm\19792bh10.docx

Senator COLEMAN spoke on the Bill.

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

**S. 1112--Ordered to a Second and Third Reading**

On motion of Senator COLEMAN, with unanimous consent, S. 1112 was ordered to receive a second and third reading on the next two consecutive legislative days.

S. 1113 -- Senator Coleman: A BILL TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE FAIRFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE MEMBERSHIP OF THE BOARD OF TRUSTEES, TO REVISE COMPENSATION OF BOARD MEMBERS, TO PROVIDE FOR THE FILLING OF VACANCIES, TO PROVIDE FOR THE ABOLITION OF CERTAIN BOARD SEATS UPON CERTAIN CONDITIONS, AND TO REQUIRE THE SCHOOL DISTRICT BOARD AND SUPERINTENDENT TO COOPERATE WITH NEWLY APPROVED BOARD MEMBERS.

l:\council\bills\agm\19793bh10.docx

Senator COLEMAN spoke on the Bill.

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

**S. 1113--Ordered to a Second and Third Reading**

On motion of Senator COLEMAN, with unanimous consent, S. 1113 was ordered to receive a second and third reading on the next two consecutive legislative days.

S. 1114 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO CITRUS GREENING (CANDIDATUS LIBERIBACTER ASISTICUS) QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\nbd\11652ac10.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1115 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO PHYTOPHTHORA RAMORUM QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4106, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\nbd\11653ac10.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1116 -- Senators Fair and Anderson: A BILL TO EXPAND THE AUTHORITY OF THE RENEWABLE WATER RESOURCES OF GREENVILLE COUNTY, ORIGINALLY CREATED AS THE GREATER GREENVILLE SEWER DISTRICT PURSUANT TO THE PROVISIONS OF ACT 362 OF 1925, TO USE THE BY-PRODUCTS OF WASTE TREATMENT FACILITIES FOR ALTERNATE ENERGY PRODUCTION.

l:\council\bills\dka\3832dw10.docx

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

H. 3778 -- Rep. Harvin: A BILL TO AMEND SECTION 44-7-2430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COLLECTION OF DATA PURSUANT TO THE "HOSPITAL INFECTIONS DISCLOSURE ACT", SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COMBINE DATA FROM MULTIPLE REPORTING PERIODS IN COMPILING THE DEPARTMENT'S REPORTS AND TO REQUIRE THE BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, RATHER THAN THE COMMISSIONER OF THE DEPARTMENT, TO APPOINT AN ADVISORY COMMITTEE ON HOSPITAL ACQUIRED INFECTIONS; TO AMEND SECTION 44-7-2440, AS AMENDED, RELATING TO REPORTS COMPILED BY THE DEPARTMENT ON HOSPITAL ACQUIRED INFECTIONS, SO AS TO REQUIRE REPORTS TO THE GENERAL ASSEMBLY TO BE SUBMITTED BEFORE APRIL SIXTEENTH OF EACH YEAR; AND TO AMEND SECTION 44-7-2460, RELATING TO THE REQUIREMENT THAT COMPLIANCE WITH THIS ACT IS A CONDITION OF HOSPITAL LICENSURE AND PERMITTING, SO AS TO ALSO AUTHORIZE THE IMPOSITION OF CIVIL MONETARY PENALTIES FOR NONCOMPLIANCE.

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

H. 3803 -- Reps. Bannister, Harrison and Weeks: A BILL TO AMEND SECTIONS 62-1-201, 62-1-304, 62-1-401, 62-1-403, 62-2-205, 62-2-402, 62-3-203, 62-3-401, 62-3-403, 62-3-409, 62-3-414, 62-3-502, 62-3-503, 62-3-604, 62-3-607, 62-3-611, 62-3-806, 62-3-911, 62-3-1001, 62-3-1008, 62-3-1101, 62-3-1102, 62-3-1309, 62-5-101, 62-5-303, 62-5-305, 62-5-307, 62-5-309, 62-5-310, 62-5-401, 62-5-402, 62-5-405, 62-5-407, 62-5-411, 62-5-412, 62-5-416, 62-5-419, 62-5-428, 62-5-430, 62-5-501, 62-5-504, AS AMENDED, 62-5-604, AND 62-5-608, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE VARIOUS ACTIONS AND PROCEEDINGS CONCERNING THE AFFAIRS OF DECEDENTS, PROTECTED PERSONS, MINORS, AND INCAPACITATED PERSONS FALLING UNDER THE SUBJECT MATTER JURISDICTION OF THE PROBATE COURT, SO AS TO DIFFERENTIATE BETWEEN A FORMAL PROCEEDING AND AN APPLICATION TO THE COURT AND THE PROCEDURAL RULES GOVERNING EACH, TO REQUIRE THE FILING AND SERVICE OF A SUMMONS AND PETITION TO COMMENCE A FORMAL PROCEEDING, AND TO DISTINGUISH THAT REQUIREMENT OF SUMMONS AND PETITION FROM THE NOTICE REQUIREMENTS FOR A HEARING ON A PETITION; AND TO AMEND SECTIONS 62-1-403, 62-3-703, 62-7-105, 62-7-201, 62-7-303, 62-7-305, 62-7-414, 62-7-505, 62-7-604, 62-7-709, 62-7-814, 62-7-902, 62-7-903, 62-7-904, 62-7-933, AND 62-7-1013, ALL RELATING TO THE SOUTH CAROLINA TRUST CODE, SO AS TO SUBSTITUTE "PERSON" FOR "PARENT" AND "ISSUE" FOR "CHILD", DELETE THE REQUIREMENT OF A TAXPAYER IDENTIFICATION NUMBER ON A CERTIFICATE OF TRUST, ALLOW CERTAIN REIMBURSEMENTS TO A PROSPECTIVE TRUSTEE, AND MAKE TECHNICAL CHANGES.

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

H. 3871 -- Reps. Harvin, Hosey and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-29-15 SO AS TO SPECIFY REPORTING REQUIREMENTS FOR LABORATORIES THAT TEST FOR INFECTIOUS OR OTHER DISEASES REQUIRED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO BE REPORTED AND TO PROVIDE A CIVIL MONETARY PENALTY FOR VIOLATIONS.

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

H. 4310 -- Reps. Clemmons, Edge and Barfield: A BILL TO AMEND SECTION 4-10-970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO USES ALLOWED FOR REVENUES OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE, SO AS TO ALLOW AMOUNTS UP TO TWENTY PERCENT OF THE REVENUE TO BE USED FOR PROPERTY TAX RELIEF FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND FOR TOURISM-RELATED CAPITAL PROJECTS BEGINNING IN THE SECOND RATHER THAN THE THIRD YEAR OF IMPOSITION OF THE FEE, TO REQUIRE THE AMOUNTS USED FOR THESE PURPOSES TO BE RETAINED BY THE MUNICIPALITY WITH AT LEAST TWENTY PERCENT OF THE AMOUNT RETURNED USED AS A CREDIT AGAINST THE PROPERTY TAX LIABILITY OF OWNER-OCCUPIED RESIDENTIAL PROPERTY AND PROVIDE FOR THE CALCULATION OF THE CREDIT, AND TO PROVIDE FOR THE USE OF CREDITS IN EXCESS OF THE MUNICIPAL PROPERTY TAX LIABILITY.

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

H. 4349 -- Reps. Gilliard, Alexander, Allen, Allison, Anderson, Harvin, Hayes, King, Mack, Mitchell, Parker, Bowen, Branham, Gunn, Hodges, Hosey, Knight, Littlejohn, Stavrinakis and Williams: A CONCURRENT RESOLUTION TO URGE OUR FEDERAL, STATE, AND LOCAL GOVERNMENTS, ALONG WITH CHURCHES AND NEIGHBORHOOD ASSOCIATIONS, TO STEP UP THEIR EFFORTS TO ASSIST THE HOMELESS IN LIGHT OF THE NATION'S ECONOMIC DOWNTURN, ADVERSE WEATHER CONDITIONS, AND AN INCREASE IN THE HOMELESS POPULATION.

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

H. 4406 -- Rep. Funderburk: A BILL TO AMEND SECTION 7-7-340, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN KERSHAW COUNTY, SO AS TO REDESIGNATE A MAP NUMBER ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

H. 4423 -- Reps. Harrell, Limehouse, Stavrinakis, R. L. Brown, Gilliard, Horne, Hutto, Mack, Merrill, Miller, Scott, Sottile, Whipper, A. D. Young, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Govan, Gunn, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Hosey, Howard, Huggins, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Littlejohn, Loftis, Long, Lowe, Lucas, McEachern, McLeod, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. M. Neal, J. H. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. R. Smith, J. E. Smith, Spires, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, White, Whitmire, Williams, Willis, Wylie and T. R. Young: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE BETH DANIEL FOR HER EXCEPTIONAL CAREER IN PROFESSIONAL GOLF, AND TO CONGRATULATE HER UPON THE OCCASION OF LEADING THE 2009 UNITED STATES SOLHEIM CUP TEAM TO VICTORY.

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

H. 4426 -- Reps. Hardwick, Viers, Merrill, Stavrinakis, Limehouse, Sottile, Erickson, Chalk, Edge, Hearn and Herbkersman: A CONCURRENT RESOLUTION TO DESIGNATE JUNE 12, 2010, AS "NATIONAL MARINA DAY IN SOUTH CAROLINA" IN ORDER TO HONOR SOUTH CAROLINA'S MARINAS FOR THEIR CONTRIBUTIONS TO THE COMMUNITY AND TO EDUCATE POLITICIANS, CIVIC LEADERS, AND THE PUBLIC ON THE MANY AND VARIED CONTRIBUTIONS OF MARINAS AND THE IMPORTANT ROLE THEY PLAY AS FAMILY-FRIENDLY GATEWAYS TO BOATING, AND TO REQUEST THAT OUR STATE JOIN HANDS WITH OTHER STATES AND THOUSANDS OF WATERFRONT COMMUNITIES ACROSS THE UNITED STATES IN CELEBRATING THIS DAY.

The Concurrent Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

H. 4433 -- Reps. Cooper, Clemmons, Cato, 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, Chalk, Clyburn, Cobb-Hunter, Cole, 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. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO HONOR THE BOY SCOUTS OF AMERICA ON ITS ONE HUNDREDTH ANNIVERSARY, TO EXPRESS GRATITUDE TO THE ORGANIZATION'S VOLUNTEERS, WHO DEDICATE COUNTLESS HOURS TO INSPIRING AND PREPARING FUTURE GENERATIONS OF LEADERS, AND TO PROCLAIM FEBRUARY 8, 2010, AS BOY SCOUTS OF AMERICA "ONE HUNDRED YEARS OF SCOUTING" DAY.

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

**REPORTS OF STANDING COMMITTEES**

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 403 -- Senators Leatherman and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE AT ASHBY ROAD AND McIVER ROAD IN THE TOWN OF QUINBY AS “T. ASHBY GREGG, SR. INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “T. ASHBY GREGG, SR. INTERCHANGE.”

Ordered for consideration tomorrow.

Senator L. MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 590 -- Senators Peeler and Hutto: A BILL TO AMEND SECTION 7‑11‑70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOMINATION OF CANDIDATES BY A PETITION, SO AS TO PROVIDE THAT NO QUALIFIED ELECTOR WHO VOTED IN A PRIMARY ELECTION IS ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO RUN FOR AN OFFICE TO BE FILLED AT THE GENERAL ELECTION FOLLOWING THAT PRIMARY AND TO PROVIDE THAT A QUALIFIED ELECTOR OTHERWISE ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT MAY NOT SIGN MORE THAN ONE PETITION PER GENERAL ELECTION PER OFFICE; BY ADDING SECTION 7‑11‑75 SO AS TO PROVIDE THAT A PERSON OFFERING FOR ELECTION AS A PETITION CANDIDATE IN ANY GENERAL ELECTION MUST HAVE FIRST NOTIFIED THE ENTITY TO WHICH THE PETITION IS REQUIRED TO BE FILED BY THE BEGINNING DATE OF THE PRIMARY ELECTION PRECEDING THAT GENERAL ELECTION OF HIS INTENTION TO FILE AS A PETITION CANDIDATE FOR THAT OFFICE, AND TO PROVIDE THAT FAILURE TO DO SO DISQUALIFIES HIM AS A PETITION CANDIDATE FOR THAT GENERAL ELECTION; TO AMEND SECTION 7‑11‑80, AS AMENDED, RELATING TO THE FORM OF NOMINATING PETITIONS, SO AS TO REQUIRE ALL THE SIGNATURES TO BE LEGIBLE SO THAT THE NAME OF THE VOTER CAN BE IDENTIFIED BEYOND A REASONABLE DOUBT; TO AMEND SECTION 7‑11‑85, RELATING TO VERIFICATION OF THE SIGNATURES ON PETITIONS, SO AS TO REVISE THE VERIFICATION PROCESS, TO PROVIDE THAT ALL QUALIFIED ELECTORS SIGNING A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT FOR ELECTION TO A PARTICULAR OFFICE MUST HAVE BEEN A QUALIFIED ELECTOR WHO REGISTERED TO VOTE AT LEAST THIRTY DAYS BEFORE SUBMISSION OF THE PETITION, AND TO REQUIRE THE REGISTRATION BOARD TO VERIFY THE VOTER IS A QUALIFIED ELECTOR IN THAT JURISDICTION; BY ADDING SECTION 7‑11‑95 SO AS TO PROVIDE THAT THE ENTITY TO WHICH A PETITION MUST BE FILED MAY REJECT THE PETITION IF, AFTER A HEARING, THE ENTITY FINDS THAT BY A PREPONDERANCE OF THE EVIDENCE FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION, AND TO PROVIDE THAT THE VALIDATION OF THE SIGNATURES ON A PETITION AND THE DETERMINATION OF WHETHER OR NOT FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION MUST BE CONDUCTED IN PUBLIC AFTER NOTICE; AND BY ADDING SECTION 7‑11‑100 SO AS TO PROVIDE THAT DECISIONS OF A LOCAL ENTITY TO WHICH A PETITION MUST BE FILED MAY BE APPEALED TO THE STATE ELECTION COMMISSION AND THEREAFTER TO A COURT OF COMPETENT JURISDICTION IN THE MANNER IN WHICH APPEALS FROM THE STATE ELECTION COMMISSION MAY BE TAKEN.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 762 -- Senator Land: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 260 IN CLARENDON COUNTY FROM ITS INTERSECTION WITH THE MANNING CITY LIMITS TO OXWALI CREEK “FRED CHEWNING HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “FRED CHEWNING HIGHWAY”.

Ordered for consideration tomorrow.

Senator L. MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 900 -- Senators McConnell, Knotts and Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑3‑16, SO AS TO MANDATE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION PROVIDE SECURITY AND PROTECTION FOR THE GOVERNOR AND LIEUTENANT GOVERNOR, WHICH MUST NOT BE DECLINED.

Ordered for consideration tomorrow.

Senator L. MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 901 -- Senators McConnell, Elliott and Courson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑3‑630, SO AS TO DEFINE “EMERGENCY,” “FULL AUTHORITY”, AND “TEMPORARY ABSENCE” IN ORDER TO CLARIFY WHEN A LIEUTENANT GOVERNOR HAS THE FULL AUTHORITY TO ACT IN AN EMERGENCY IN THE EVENT OF THE TEMPORARY ABSENCE OF THE GOVERNOR FROM THE STATE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 1036 -- Senators Hayes, Coleman and Mulvaney: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 121 IN YORK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 901 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 5 “FRANK BOBO MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “FRANK BOBO MEMORIAL HIGHWAY”.

Ordered for consideration tomorrow.

Senator KNOTTS from the Committee on Invitations polled out S. 1038 favorable:

S. 1038 -- Senator Knotts: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE CLARENCE HILL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, FEBRUARY 23, 2010.

**Poll of the Invitations Committee**

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

**AYES**

Alexander Campsen Cromer

Elliott Ford Knotts

Malloy McGill O’Dell

Reese Verdin

**Total-- 11**

**NAYS**

**Total-- 0**

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 1085 -- Senators Leatherman, Leventis, Massey, Ford, Ryberg, Setzler, Nicholson, Fair, Bryant, Alexander, Cromer, Land, Rankin, McConnell, O’Dell, Thomas, Courson, L. Martin, Campbell, Matthews, McGill, Hayes and Rose: A BILL TO AMEND SECTION 11‑11‑310 OF THE 1976 CODE, RELATING TO THE GENERAL RESERVE FUND, TO INCREASE THE PERCENTAGE AMOUNT REQUIRED TO BE DEPOSITED IN THE GENERAL RESERVE FUND FROM THREE TO FIVE PERCENT OF THE GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, AND TO PROVIDE THAT THE PERCENTAGE AMOUNT MAY BE INCREASED OR DECREASED BY A TWO‑THIRDS VOTE OF EACH HOUSE; TO AMEND SECTION 11‑11‑320, RELATING TO THE CAPITAL RESERVE FUND, TO PROVIDE THAT IF IN ANY FISCAL YEAR IN WHICH THE GENERAL RESERVE FUND DOES NOT MAINTAIN THE APPLICABLE PERCENTAGE AMOUNT, MONIES FROM THE CAPITAL RESERVE FUND FIRST MUST BE USED, TO THE EXTENT NECESSARY, TO FULLY REPLENISH THE REQUISITE PERCENTAGE AMOUNT IN THE GENERAL RESERVE FUND; TO REPEAL SECTION 11‑11‑325; TO AMEND SECTION 11‑9‑890, RELATING TO ACTIONS TO AVOID A YEAR‑END DEFICIT, TO EXTEND THE TIME PERIOD IN WHICH ACTION MAY BE TAKEN INTO THE THIRD QUARTER, TO REDUCE THE PERCENTAGE BELOW THE PROJECTED AMOUNT THAT IS REQUIRED TO TAKE ACTION FROM FOUR TO TWO PERCENT, TO REDUCE THE TIME IN WHICH THE BUDGET AND CONTROL BOARD MUST TAKE ACTION FROM FIFTEEN TO SEVEN DAYS, AND TO PROVIDE THAT IF NO ACTION IS TAKEN, THE DIRECTOR OF THE OFFICE OF STATE BUDGET MUST REDUCE GENERAL FUND APPROPRIATIONS BY THE REQUISITE AMOUNT; AND TO AMEND SECTION 1‑11‑495, RELATING TO A REDUCTION IN THE RATE OF EXPENDITURE, TO PROVIDE THAT ANY CUT IS SUBJECT TO ANY BILL OR RESOLUTION ENACTED BY THE GENERAL ASSEMBLY.

Ordered for consideration tomorrow.

Senator KNOTTS from the Committee on Invitations polled out S. 1089 favorable with amendments:

S. 1089 -- Senator Knotts: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 28, 2010, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, CLEMSON UNIVERSITY, COLLEGE OF CHARLESTON, COASTAL CAROLINA UNIVERSITY, FRANCIS MARION UNIVERSITY, LANDER UNIVERSITY, THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, SOUTH CAROLINA STATE UNIVERSITY, THE UNIVERSITY OF SOUTH CAROLINA, WIL LOU GRAY OPPORTUNITY SCHOOL, AND WINTHROP UNIVERSITY TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE IN 2010, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION; IMMEDIATELY FOLLOWING ELECTION OF BOARDS OF TRUSTEE MEMBERS, THE HOUSE OF REPRESENTATIVES AND THE SENATE SHALL ELECT ONE MEMBER‑AT‑LARGE TO THE OLD EXCHANGE BUILDING COMMISSION TO SUCCEED THE MEMBER WHOSE TERM IS EXPIRING.

**Poll of the Invitations Committee**

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

**AYES**

Alexander Campsen Cromer

Elliott Ford Knotts

Malloy McGill O’Dell

Reese Verdin

**Total-- 11**

**NAYS**

**Total-- 0**

Ordered for consideration tomorrow.

Senator L. MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3314 -- Rep. Harrison: A BILL TO AMEND SECTIONS 1‑30‑35, 44‑20‑30, 44‑20‑210, 44‑20‑220, 44‑20‑225, 44‑20‑240, 44‑20‑320, 44‑20‑350, 44‑20‑360, 44‑20‑430, 44‑20‑1120, 44‑20‑1130, 44‑20‑1140, 44‑20‑1150, 44‑20‑1160, 44‑20‑1170, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO PROVIDE THAT THE DEPARTMENT IS HEADED AND GOVERNED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND THAT THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS SERVES AS AN ADVISORY BOARD TO THE DIRECTOR; AND TO REPEAL SECTION 44‑20‑230 RELATING TO POWERS AND DUTIES OF THE DIRECTOR.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3395 -- 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: A BILL 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 OF REPLENISHMENT OF THAT AMOUNT.

Ordered for consideration tomorrow.

Senator L. MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3396 -- Reps. Harrell, Thompson, Scott, Cooper, Erickson, Bingham, A.D. Young, Edge, J.R. Smith, G.R. Smith, Bedingfield, Whitmire, Hiott, D.C. Smith, Bannister, Brady, Cato, Chalk, Forrester, Gambrell, Hamilton, Horne, Long, Nanney, Parker, E.H. Pitts, Rice, Sottile, Stewart, Viers, White, Willis, Toole, Neilson, Bales, T.R. Young and Wylie: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM THREE TO FIVE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE

LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND.

Ordered for consideration tomorrow.

Senator S. MARTIN from the Committee on Judiciary submitted a favorable report on:

H. 4048 -- Reps. M.A. Pitts, Duncan and Willis: A BILL TO AMEND SECTION 22‑2‑190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COUNTY JURY AREA DESIGNATIONS FOR USE IN MAGISTRATES COURTS, SO AS TO REVISE THE JURY AREAS FOR LAURENS COUNTY TO PROVIDE FOR ONE JURY AREA COUNTYWIDE.

Ordered for consideration tomorrow.

Senator KNOTTS from the Committee on Invitations polled out H. 4242 favorable:

H. 4242 -- Reps. Limehouse, Brady, Long, Wylie and Vick: A CONCURRENT RESOLUTION DECLARING WEDNESDAY, JANUARY 20, 2010, “SOUTH CAROLINA MEDAL OF HONOR DAY” AND CALLING UPON SOUTH CAROLINIANS TO ATTEND EVENTS SCHEDULED IN COLUMBIA THAT DAY AT WHICH THE WOMEN OF SOUTH CAROLINA WILL SIGN A DECLARATION OF GRATITUDE FOR THE SERVICE AND SACRIFICES OF THE HOLDERS OF THE MEDAL OF HONOR AND AT WHICH WILL BE HONORED AND RECOGNIZED LIVING SOUTH CAROLINA HOLDERS OF THE MEDAL OF HONOR.

**Poll of the Invitations Committee**

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

**AYES**

Alexander Campsen Cromer

Elliott Ford Knotts

Malloy McGill O’Dell

Reese Verdin

**Total-- 11**

**NAYS**

**Total-- 0**

Ordered for consideration tomorrow.

Senator KNOTTS from the Committee on Invitations polled out H. 4290 favorable:

H. 4290 -- Rep. Kirsh: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE CLARENCE HILL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, FEBRUARY 23, 2010.

**Poll of the Invitations Committee**

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

**AYES**

Alexander Campsen Cromer

Elliott Ford Knotts

Malloy McGill O’Dell

Reese Verdin

**Total-- 11**

**NAYS**

**Total-- 0**

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., January 27, 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. 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.

Respectfully submitted,

Speaker of the House

Received as Information

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

**HOUSE CONCURRENCES**

S. 1101 -- Senators Courson and Lourie: A CONCURRENT RESOLUTION TO CONGRATULATE DR. RANDALL R. GARY, PRINCIPAL OF DENT MIDDLE SCHOOL IN RICHLAND SCHOOL DISTRICT TWO, ON BEING NAMED 2010 SOUTH CAROLINA MIDDLE SCHOOL PRINCIPAL OF THE YEAR BY THE SOUTH CAROLINA ASSOCIATION OF SCHOOL ADMINISTRATORS.

Returned with concurrence.

Received as information.

S. 1102 -- Senator Elliott: A CONCURRENT RESOLUTION TO COMMEND THE SCOTT HANNON MEMORIAL FOUNDATION FOR ITS MANY YEARS OF EXCEPTIONAL SERVICE TO THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE THIS FINE ORGANIZATION ON THE OCCASION OF ITS TWENTIETH ANNIVERSARY.

Returned with concurrence.

Received as information.

S. 1106 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, 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 CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SERGEANT DEMETRIUS L. VOID OF THE UNITED STATES ARMY WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN AFGHANISTAN, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

Returned with concurrence.

Received as information.

S. 1107 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, 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 CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY STAFF SERGEANT RAPHAEL A. FUTRELL OF THE UNITED STATES ARMY WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN IRAQ, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

Returned with concurrence.

Received as information.

S. 1108 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, 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 CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SPECIALIST ABRAHAM S. WHEELER III OF THE UNITED STATES ARMY WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN AFGHANISTAN, AND TO EXPRESS TO HIS FAMILY THE PROFOUND APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

Returned with concurrence.

Received as information.

S. 1109 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, 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 CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SPECIALIST JUSTIN ANTISDEL OF THE UNITED STATES ARMY WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN IRAQ, AND TO EXPRESS TO HIS WIFE AND FAMILY THE PROFOUND APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

Returned with concurrence.

Received as information.

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

**THIRD READING BILL**

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

S. 1034 -- Senator Leatherman: A JOINT RESOLUTION TO EXTEND THE DATE BY WHICH THE TAXATION REALIGNMENT COMMISSION MUST PREPARE AND DELIVER ITS REPORT AND RECOMMENDATION UNTIL NOVEMBER 15, 2010.

**S. 1034--Recorded Vote**

Senator LEVENTIS desired to be recorded as voting against the third reading of the Joint Resolution.

**S. 1034--Recorded Vote**

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

**SECOND READING BILL**

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

S. 1099 -- Senator McConnell: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUME 22 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2010.

**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.

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

**CARRIED OVER**

H. 3272 -- Reps. Cooper, Merrill, Erickson, Herbkersman, Chalk, Duncan, Long, Sottile, Daning, Lowe, Bowen, Harrison, Horne, A.D. Young, Limehouse, R.L. Brown, Clemmons, Edge and Wylie: A BILL TO AMEND SECTION 12‑37‑3140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING THE FAIR MARKET VALUE OF REAL PROPERTY FOR PURPOSES OF THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, SO AS TO POSTPONE THE IMPLEMENTATION OF THE TRANSFER VALUE OF A PARCEL OF REAL PROPERTY UNIMPROVED SINCE THE LAST COUNTYWIDE REASSESSMENT PROGRAM UNTIL THE TIME OF IMPLEMENTATION OF THE NEXT COUNTYWIDE REASSESSMENT PROGRAM AND TO REQUIRE THE FIFTEEN PERCENT LIMIT ON INCREASES IN VALUE TO BE CALCULATED SEPARATELY ON LAND AND IMPROVEMENTS; TO AMEND SECTION 12‑37‑3150, AS AMENDED, RELATING TO THE TIME AN ASSESSABLE TRANSFER OF INTEREST OCCURS, SO AS TO REVISE THE PENALTY FOR FAILURE TO PROVIDE NOTICE OR FAILURE TO PROVIDE ACCURATE NOTICE TO THE ASSESSING AUTHORITY OF BUSINESS ENTITY TRANSFERS; TO AMEND SECTION 12‑43‑220, AS AMENDED, RELATING TO THE CLASSIFICATION AND VALUATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE RESIDENTIAL REAL PROPERTY HELD IN TRUST DOES NOT QUALIFY AS A LEGAL RESIDENCE UNLESS A NAMED INDIVIDUAL BENEFICIARY UNDER THE TRUST OCCUPIES THE RESIDENCE AS THAT NAMED BENEFICIARY’S LEGAL RESIDENCE AND THAT INDIVIDUAL BENEFICIARY’S NAME APPEARS ON THE DEED TO THE RESIDENCE AND REQUIRE SOCIAL SECURITY NUMBERS OF APPLICANTS FOR THE LEGAL RESIDENCE ASSESSMENT RATIO; AND TO AMEND SECTION 40‑60‑35, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR ASSESSORS, SO AS TO REVISE THE REQUIREMENT.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment (3272FIN005) proposed by Senators ALEXANDER and HAYES and previously printed in the Journal of January 20, 2010.

Senator L. MARTIN spoke on the Bill.

Senator L. MARTIN moved to carry over the Bill.

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

**Ayes 26; Nays 16**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Cromer Davis Fair

Grooms Hayes Knotts

Leatherman *Martin, L. Martin, S.*

Massey McConnell McGill

Mulvaney O’Dell Peeler

Rankin Rose Shoopman

Thomas Verdin

**Total--26**

**NAYS**

Anderson Coleman Elliott

Ford Land Leventis

Lourie Malloy Matthews

Nicholson Pinckney Reese

Scott Setzler Sheheen

Williams

**Total--16**

The Bill was carried over.

**AMENDMENT PROPOSED, DEBATE INTERRUPTED**

H. 3418 -- Reps. Harrell, Simrill, Crawford, Huggins, Bedingfield, Merrill, G.R. Smith, Erickson, Ballentine, Brady, Chalk, Daning, Delleney, Frye, Gambrell, Hamilton, Harrison, Hearn, Herbkersman, Loftis, Long, Lucas, Nanney, Pinson, Rice, G.M. Smith, Spires, Stringer, Thompson, Viers, Willis, Wylie, T.R. Young, Clemmons, Owens, Parker, Toole, M.A. Pitts, Lowe, Bingham, Umphlett, Sandifer and Edge: A BILL TO AMEND SECTION 7‑13‑710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PRESENTATION OF A PERSON’S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE THE ELECTOR TO PRODUCE A VALID PHOTO IDENTIFICATION CARD AT THE TIME OF CASTING HIS BALLOT, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE.

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

Senator CAMPSEN, chairman of the subcommittee, was recognized to explain the Bill and committee report.

**PRESIDENT *Pro Tempore* PRESIDES**

At 3:07 P.M., Senator McCONNELL assumed the Chair.

Senator CAMPSEN resumed explaining the Bill and committee report.

**Parliamentary Inquiry**

Senator L. MARTIN made a Parliamentary Inquiry as to whether or not the next order of business would be consideration of amendments.

The President *Pro Tempore* stated that, following brief remarks by the chairman of the subcommittee, the next order of business would be consideration of amendments.

Senator CAMPSEN resumed explaining the Bill and committee report.

**Objection**

Senator LEVENTIS asked unanimous consent to make a motion to raise Points of Order on the Bill.

Senator S. MARTIN objected.

**Amendment No. P-1A**

Senator FORD proposed the following Amendment No. P-1A (BBM\9521AB10):

Amend the report of the Committee on Judiciary, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) For purposes of this section, ‘election’ means a statewide primary or general election.

(B) Notwithstanding the provision of this chapter or Chapter 5 of this title, the State Election Commission shall establish a procedure by which a qualified elector may cast his ballot in person, without excuse, during an early voting period. The qualified elector may accomplish this at an early voting center in his county of residence.

(C) Early voting centers shall allow duly registered voters of that county to vote outside their precinct.

(D) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(E) A qualified elector, who is registered, may cast his ballot in person at an early voting center established by the authority charged by law with conducting an election.

(F) The early voting period shall begin thirty days before the statewide primary or general election and end one day before it.

(G) The authority charged by law with conducting an election shall determine the locations and hours of operation for early voting centers, except that the early voting centers must be open on the two Saturdays within the early voting period as provided by Section 7‑13‑60. These locations and hours of operation for the early voting centers must be posted in accordance with the provisions of Section 30‑4‑80.”

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

Renumber sections to conform.

Amend title to conform.

**Objection**

Senator L. MARTIN asked unanimous consent to make a motion to waive the reading of the amendments in their entirety and, in lieu thereof, substitute explanations by the respective authors of the amendments.

Senator LEVENTIS objected.

Senator FORD explained the amendment.

**Parliamentary Inquiry**

Senator L. MARTIN made a Parliamentary Inquiry as to whether the speaker’s remarks were germane to the amendment.

The PRESIDENT *Pro Tempore* stated as long as the comments were germane to the amendment, the speaker’s remarks were in order.

**Objection**

Senator FORD asked unanimous consent to make a motion to be granted leave to use a stool while at the podium.

Senator L. MARTIN objected.

Senator FORD resumed explaining the amendment.

Senator LAND argued contra to the adoption of the amendment.

**Point of Quorum**

At 5:33 P.M., Senator LEVENTIS made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Grooms Hayes Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, L.*

*Martin, S.* Massey Matthews

McConnell McGill Mulvaney

Nicholson O’Dell Peeler

Rankin Reese Rose

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

A quorum being present, the Senate resumed.

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

**ACTING PRESIDENT PRESIDES**

At 6:35 P.M., Senator L. MARTIN assumed the Chair.

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

**Point of Quorum**

At 7:13 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Land Leatherman Leventis

Lourie Malloy *Martin, L.*

*Martin, S.* Massey Matthews

McGill Mulvaney Nicholson

Peeler Rankin Rose

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

A quorum being present, the Senate resumed.

**ACTING PRESIDENT PRESIDES**

At 7:15 P.M., Senator HAYES assumed the Chair.

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

**ACTING PRESIDENT PRESIDES**

At 8:06 P.M., Senator L. MARTIN assumed the Chair.

Senator LAND continued arguing contra to the adoption of the amendment.

**RECESS**

At 8:38 P.M., with Senator LAND retaining the floor, on motion of Senator McCONNELL, the Senate receded from business not to exceed five minutes.

At 8:49 P.M., the Senate resumed.

**PRESIDENT *Pro Tempore* PRESIDES**

At 8:50 P.M., Senator McCONNELL assumed the Chair.

Senator LAND continued arguing contra to the adoption of the amendment.

**Motion Under Rule 15A Failed**

At 9:12 P.M., Senator L. MARTIN moved under the provisions of Rule 15A to vote on the entire matter of H. 3418.

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

**Ayes 21; Nays 16**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Cromer Davis Fair

Grooms Hayes *Martin, L.*

*Martin, S.* Massey McConnell

Mulvaney Peeler Rose

Shoopman Thomas Verdin

**Total--21**

**NAYS**

Anderson Coleman Elliott

Jackson Knotts Land

Leventis Lourie Malloy

Matthews McGill Nicholson

Reese Scott Setzler

Williams

**Total--16**

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

Senator LAND continued arguing contra to the adoption of the amendment.

Senator LAND moved that the Senate stand adjourned.

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

**Ayes 25; Nays 16**

**AYES**

Alexander Anderson Campbell

Coleman Elliott Hayes

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, L.* Matthews

McConnell McGill Nicholson

O’Dell Rankin Reese

Scott Setzler Sheheen

Williams

**Total--25**

**NAYS**

Bright Bryant Campsen

Cleary Cromer Davis

Fair Grooms *Martin, S.*

Massey Mulvaney Peeler

Rose Shoopman Thomas

Verdin

**Total—16**

Debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Naomi G. Martin of Berkeley, S.C.

**ADJOURNMENT**

At 10:07 P.M., on motion of Senator LAND, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*