**Wednesday, March 3, 2010**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 2:00 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 writes:

“Sing to the Lord a new song, for he has done marvelous things.”

(Psalm 98:1a)

Please, join me as we pray:

Gracious Lord, when we pause to compare ourselves to the greater world around us, we realize that, indeed, we are very blessed here in this State and in this nation. So many marvelous realities, O God, do we simply take for granted. Yet there is much more still to be accomplished, as we all know. Continue to guide the members of this Senate as they lead us forward. Moreover, bless and keep safe all of our women and men serving in many places around the world. Help us all to honor You by our faithful service. This we pray in Your holy name, dear 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, Anderson County Magistrate, with the term to commence April 30, 2007, and to expire April 30, 2011

Wynee Denise Eubanks, 107 Hillandale Road, Pendleton, SC 29670 *VICE* Michael F. Smith

**Doctor of the Day**

Senators NICHOLSON and O’DELL introduced Dr. Stanley Baker of Greenwood, S.C., Doctor of the Day.

**Leave of Absence**

At 3:15 P.M., Senator SHEHEEN requested a leave of absence beginning at 4:00 P.M. today and lasting until 11:00 A.M. in the morning.

**Expression of Personal Interest**

Senator KNOTTS rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 964 Sen. Davis

S. 1192 Sen. Mulvaney

**RECALLED AND COMMITTED**

S. 965 -- Senators Sheheen and Elliott: A BILL TO AMEND SECTION 40‑47‑760 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE ACUPUNCTURE ACT OF SOUTH CAROLINA, TO ADD PHYSICIANS TRAINED TO PERFORM ACUPUNCTURE TO THE LIST OF EXEMPTIONS.

Senator PEELER asked unanimous consent to make a motion to recall the Bill from the Committee on Labor, Commerce and Industry.

There was no objection and the Bill was recalled from the Committee on Labor, Commerce and Industry.

On motion of Senator PEELER, with unanimous consent, the Bill was committed to the Committee on Medical Affairs.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1247 -- Senator Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-37-455 SO AS TO REQUIRE THE PROPERTY TAX NOTICE FOR MOTOR VEHICLES, WATERCRAFT, AND GENERAL AVIATION AIRCRAFT TO INCLUDE A STATEMENT OF THE PROPERTY'S FAIR MARKET VALUE.

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

S. 1248 -- Senator Rose: A BILL TO AMEND CHAPTER 3, TITLE 24, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13, SO AS TO ENACT THE "CONDITIONAL EARLY RELEASE BY BOND ACT", TO ALLOW THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS TO RELEASE A PRISONER AFTER CONVICTION BASED ON CERTAIN RELEASE PROVISIONS AND FOR THE RELEASE PROVISIONS TO BE PROVIDED FOR BY LAW.

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

S. 1249 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-240 SO AS TO IMPOSE A SURCHARGE ON CASES INVOLVING CRIMINAL DOMESTIC VIOLENCE OFFENSES IN A COURT IN THIS STATE, TO PROVIDE FOR THE USE OF THE REVENUE COLLECTED FROM THIS SURCHARGE, TO EXPRESS THE INTENTION THAT THIS REVENUE NOT BE USED TO SUPPLANT EXISTING FUNDING FOR CERTAIN SERVICES RELATED TO THE CRIMINAL DOMESTIC VIOLENCE PROSECUTION, AND TO ENABLE THE STATE AUDITOR TO EXAMINE CERTAIN RELATED FINANCIAL RECORDS AT THE REQUEST OF THE STATE TREASURER.

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

S. 1250 -- Senator Knotts: A BILL TO AMEND SECTION 17-22-710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF A WORTHLESS CHECK UNIT, FEE SCHEDULES, ADMINISTRATIVE COSTS, AND DISBURSEMENT OF FUNDS COLLECTED, SO AS TO AUTHORIZE THE CIRCUIT SOLICITOR TO ESTABLISH THE WORTHLESS CHECK UNIT, REVISE THE FEE SCHEDULES, AND PROVIDE THAT PARTIAL FUNDS COLLECTED DO NOT PROHIBIT PROSECUTION FOR THE FULL AMOUNT OF A FRAUDULENT CHECK.

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

S. 1251 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF FUNERAL SERVICE, RELATING TO FUNERAL SERVICE PRACTICE ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4068, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1252 -- Senator Pinckney: A SENATE RESOLUTION TO CONGRATULATE MRS. ALICE LAW STEPHENSON OF RIDGELAND ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND CONTINUED HEALTH AND HAPPINESS.

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The Senate Resolution was adopted.

H. 3800 -- Reps. Toole, Erickson, Brady, Bowen, Brantley, Parker, Allison, Cato, Crawford, Dillard, Duncan, Gullick, Gunn, Horne, Hosey, Jefferson, Littlejohn, Millwood, Mitchell, Pinson, Stringer, Willis, Wylie, A. D. Young, J. E. Smith, Clemmons, Hutto and Viers: A BILL TO AMEND SECTION 63-7-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS REQUIRED TO REPORT ABUSE OR NEGLECT OF A CHILD, SO AS TO INCLUDE A SCHOOL ATTENDANCE OFFICER, SCHOOL ADMINISTRATOR, FOSTER PARENT, JUVENILE JUSTICE WORKER, AND GUARDIAN AD LITEM FOR A CHILD AMONG THE PEOPLE WHO MUST REPORT CERTAIN ALLEGATIONS OF CHILD ABUSE OR NEGLECT, AND TO ENCOURAGE OTHER PEOPLE TO REPORT THIS ABUSE.

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

H. 4475 -- Reps. T. R. Young, Sellers, Bedingfield, Norman, J. R. Smith, Stringer, Wylie, Millwood, Gunn, Scott, D. C. Smith, Stewart, Ballentine, H. B. Brown, Hart, Hearn, Haley, Funderburk, Willis, Clemmons, Harrell and Lucas: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SECRETARY OF STATE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SECRETARY OF STATE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SECRETARY OF STATE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SECRETARY OF STATE MAY BE REMOVED FROM OFFICE.

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

H. 4530 -- Agriculture, Natural Resources and Environmental Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR SPECIES OR SUBSPECIES OF NON-GAME WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4069, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 4531 -- Agriculture, Natural Resources and Environmental Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO AIR POLLUTION CONTROL REGULATIONS AND STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4070, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 4635 -- Rep. Sellers: A BILL TO AUTHORIZE THE CITY OF BAMBERG TO ADD TWO ADDITIONAL COMMISSIONERS TO THE BOARD OF COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF BAMBERG.

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

H. 4645 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF FAIR H. SMITH OF CHARLOTTE, FORMERLY OF BISHOPVILLE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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

H. 4646 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CAROLYN DORITY BEASLEY OF BISHOPVILLE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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

H. 4656 -- Reps. Stringer, 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. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, MARCH 17, 2010, HEMOPHILIA AWARENESS DAY IN SOUTH CAROLINA IN ORDER TO EDUCATE CITIZENS ABOUT THE EFFECTS OF HEMOPHILIA.

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

H. 4665 -- Reps. Sellers, 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, 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 BISHOP CARDELL SUTTON OF GASTON, FOUNDER OF KINGDOM COVENANT FELLOWSHIP INTERNATIONAL, INCORPORATED, FOR HIS TWENTY-FOUR YEARS OF PASTORAL MINISTRY, AND TO DECLARE MARCH 18, 2010, "BISHOP CARDELL SUTTON DAY" IN SOUTH CAROLINA.

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

H. 4666 -- Reps. Owens, 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, 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 CONGRATULATE THE EIGHTEEN SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2010 ALL-STATE ACADEMIC TEAM IN THE ALL-USA ACADEMIC TEAM COMPETITION FOR TECHNICAL COLLEGES, COMMUNITY COLLEGES, AND JUNIOR COLLEGES SPONSORED BY PHI THETA KAPPA, THE AMERICAN ASSOCIATION OF COMMUNITY COLLEGES, AND USA TODAY.

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

**PRESIDENT *Pro Tempore* PRESIDES**

At 2:34 P.M., Senator McCONNELL assumed the Chair.

**REPORTS OF STANDING COMMITTEES**

Senator SCOTT from the Committee on Judiciary submitted a favorable with amendment report on:

S. 591 -- Senator Lourie: A BILL TO AMEND SECTIONS 22‑3‑1330, 22‑3‑1340, 22‑3‑1370, 22‑3‑1400, AND 22‑3‑1410 OF THE 1976 CODE, ALL RELATING TO PROCEEDINGS IN CLAIM AND DELIVERY ACTIONS, TO ALLOW SERVICE OF PROCESS BY PERSONS OTHER THAN CONSTABLES.

Ordered for consideration tomorrow.

Senator MALLOY from the Committee on Judiciary submitted a favorable with amendment report on:

S. 718 -- Senators Campsen and Malloy: A BILL TO AMEND SECTION 22‑3‑550 OF THE 1976 CODE, RELATING TO ORDERING RESTITUTION IN MAGISTRATE’S COURT, TO PROVIDE A MAGISTRATE MAY ORDER RESTITUTION IN AN AMOUNT NOT TO EXCEED THE CIVIL JURISDICTIONAL AMOUNT FOR MAGISTRATES.

Ordered for consideration tomorrow.

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

S. 850 -- Senator McGill: A BILL TO AMEND SECTION 12‑6‑5060 OF THE 1976 CODE, RELATING TO THE DESIGNATION ON AN INCOME TAX RETURN OF A VOLUNTARY CONTRIBUTION TO CERTAIN FUNDS, TO PROVIDE THAT A TAXPAYER MAY CONTRIBUTE TO THE SOUTH CAROLINA FORESTRY COMMISSION FOR USE IN THE STATE FOREST SYSTEM.

Ordered for consideration tomorrow.

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

S. 879 -- Senator Campsen: A BILL TO AMEND SECTION 12‑37‑3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSESSABLE TRANSFERS OF INTEREST FOR PURPOSES OF DETERMINING THE VALUE OF REAL PROPERTY FOR PROPERTY TAXATION, SO AS TO PROVIDE ADDITIONAL INSTANCES OF PROPERTY TRANSFERS NOT CONSIDERED ASSESSABLE TRANSFERS OF INTEREST, INCLUDING TRANSFERS OF FRACTIONAL INTERESTS CONSTITUTING NOT MORE THAN FIFTY PERCENT OF FEE SIMPLE TITLE, TRANSFERS INTO AND OUT OF A SINGLE MEMBER LIMITED LIABILITY COMPANY NOT TAXED AS A CORPORATION WHEN THE SINGLE MEMBER IS THE TRANSFEREE AND TRANSFEROR, TRANSFERS RELATING TO EASEMENTS, TRANSFERS TO QUIET TITLE OR ESTABLISH A BOUNDARY LINE, AND TRANSFERS CREATING OR TERMINATING A JOINT TENANCY WITH RIGHTS OF SURVIVORSHIP IF THE GRANTORS AND GRANTEES ARE THE SAME.

Ordered for consideration tomorrow.

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

S. 905 -- Senators Leatherman and Elliott: A BILL TO AMEND SECTION 2‑7‑71 OF THE 1976 CODE, RELATING TO TAX BILLS AND REVENUE IMPACT STATEMENTS, TO PROVIDE THAT THE REVENUE IMPACT STATEMENT MUST BE SIGNED BY THE CHIEF ECONOMIST OF THE OFFICE OF RESEARCH AND STATISTICS; AND TO AMEND SECTION 2‑7‑78, RELATING TO THE CERTIFICATION OF A REVENUE ESTIMATE, TO PROVIDE THAT THE REVENUE IMPACT MUST BE CERTIFIED BY THE CHIEF ECONOMIST OF THE OFFICE OF RESEARCH AND STATISTICS.

Ordered for consideration tomorrow.

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

S. 931 -- Senator L. Martin: A BILL TO AMEND SECTION 44‑48‑40 OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR CONDITIONAL RELEASE OF SEXUALLY VIOLENT PREDATORS, TO PROVIDE THAT WRITTEN NOTICE MUST BE GIVEN TWO HUNDRED SEVENTY DAYS RATHER THAN ONE HUNDRED DAYS, AND TO PROVIDE THAT THE PAROLE OR CONDITIONAL RELEASE ORDER DOES NOT TAKE EFFECT FOR ONE HUNDRED EIGHTY DAYS, RATHER THAN NINETY DAYS, AFTER ISSUANCE OF THE ORDER; TO AMEND SECTION 44‑48‑80, RELATING TO THE FACILITY IN WHICH A PERSON MUST BE HELD AFTER PROBABLE CAUSE IS FOUND TO EXIST THAT THE PERSON IS A SEXUALLY VIOLENT PREDATOR, TO REQUIRE THAT THE PERSON ONLY BE HELD IN A LOCAL OR REGIONAL DETENTION FACILITY PENDING CONCLUSION OF THE PROCEEDINGS IN THIS CHAPTER AND THAT THE COURT MUST DIRECT THE PERSON TO BE TRANSPORTED TO AN APPROPRIATE FACILITY OF THE SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH; TO AMEND SECTION 44‑48‑90, RELATING TO THE TIME WITHIN WHICH A JURY TRIAL MUST BE REQUESTED AND HELD TO DETERMINE IF A PERSON IS A SEXUALLY VIOLENT PREDATOR, TO PROVIDE THAT A JURY TRIAL MUST BE REQUESTED WITHIN THIRTY DAYS AFTER THE DETERMINATION OF PROBABLE CAUSE UNDER SECTION 44‑48‑80, TO PROVIDE THAT THE TRIAL MUST BE HELD WITHIN NINETY DAYS OF ISSUANCE OF THE COURT APPOINTED EVALUATOR’S OPINION, AND TO PROVIDE THAT UPON RECEIPT OF THE ISSUANCE OF THE OPINION, EITHER PARTY MAY RETAIN HIS OWN EXPERT TO CONDUCT A SUBSEQUENT EVALUATION; TO AMEND SECTION 44‑48‑100, RELATING TO THE FACILITY IN WHICH A PERSON MUST BE HELD UPON A MISTRIAL IN DETERMINING IF THE PERSON IS A SEXUALLY VIOLENT PREDATOR, TO REQUIRE THAT THE PERSON ONLY BE HELD IN A LOCAL OR REGIONAL DETENTION FACILITY; AND TO AMEND SECTION 44‑48‑120, RELATING TO PROCEDURES REQUIRED WHEN THE DIRECTOR OF THE DEPARTMENT OF MENTAL HEALTH DETERMINES A PERSON COMMITTED TO THE DEPARTMENT AS A SEXUALLY VIOLENT PREDATOR IS NO LONGER LIKELY TO COMMIT ACTS OF SEXUAL VIOLENCE, TO REQUIRE THE DIRECTOR TO CERTIFY THIS DETERMINATION IN WRITING AND TO NOTIFY THE ATTORNEY GENERAL OF THIS CERTIFICATION AND OF THE PATIENT’S AUTHORIZATION TO PETITION THE COURT FOR RELEASE, TO PROVIDE THAT THE ATTORNEY GENERAL MAY REQUEST AN EXAMINATION BEFORE A HEARING ON THE RELEASE IS HELD, AND TO PROVIDE THAT EITHER PARTY MAY REQUEST THAT THE HEARING BE HELD BEFORE A JURY.

Ordered for consideration tomorrow.

Senator CLEARY from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1028 -- Senator Leventis: A BILL TO AMEND SECTION 32‑8‑320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY SERVE AS A DECEDENT’S AGENT TO AUTHORIZE CREMATION, SO AS TO ALSO PERMIT A PERSON NAMED IN THE DECEDENT’S DD FORM 93 TO AUTHORIZE CREMATION IF THE DECEDENT SERVED IN THE MILITARY SERVICES IF THERE IS NO SUCH DESIGNATION IN THE WILL OR OTHER VERIFIED AND ATTESTED DOCUMENT OF THE DECEDENT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1147 -- Senators McConnell, Rankin, Hutto and Campbell: A BILL TO AMEND SECTION 23‑47‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITION OF TERMS ASSOCIATED WITH THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO REVISE THE DEFINITION OF SEVERAL EXISTING TERMS AND TO PROVIDE DEFINITIONS FOR SEVERAL NEW TERMS; TO AMEND SECTION 23‑47‑20, AS AMENDED, RELATING TO 911 SYSTEM SERVICE REQUIREMENTS, SO AS TO DELETE “A CAPABILITY TO HAVE CELLULAR PHONES ROUTED TO 911” AS A SYSTEM REQUIREMENT AND TO ADD “ROUTING AND CAPABILITIES TO RECEIVE AND PROCESS CMRS SERVICE AND VOIP SERVICE CAPABLE OF MAKING 911 CALLS” AS A SYSTEM REQUIREMENT; TO AMEND SECTION 23‑47‑50, RELATING TO SUBSCRIBER BILLING OR 911 SERVICE, SO AS TO PROVIDE THAT FOR THE BILLING OF 911 CHARGES FOR LOCAL EXCHANGE ACCESS FACILITIES THAT ARE CAPABLE OF SIMULTANEOUSLY CARRYING FIVE OR MORE OUTGOING 911 VOICE CALLS, TO REVISE THE 911 CHARGE THAT PREPAID WIRELESS TELECOMMUNICATIONS SERVICE IS SUBJECT TO AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23‑47‑65, RELATING TO THE CMRS EMERGENCY TELEPHONE ADVISORY COMMITTEE, SO AS TO REVISE THE NAME OF THE COMMITTEE AND ITS MEMBERSHIP, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THE COMMITTEE AND THE STATE BUDGET AND CONTROL BOARD ARE AUTHORIZED TO REGULATE PREPAID WIRELESS SELLERS; BY ADDING SECTION 23‑47‑67 SO AS TO IMPOSE A VOIP 911 CHARGE ON EACH LOCAL EXCHANGE ACCESS FACILITY, AND TO PROVIDE FOR THE COLLECTION OF THE CHARGE AND ITS DISTRIBUTION; BY ADDING SECTION 23‑47‑68 SO AS TO IMPOSE A PREPAID WIRELESS 911 CHARGE, AND TO PROVIDE FOR ITS COLLECTION AND DISTRIBUTION; BY ADDING SECTION 23‑47‑69 SO AS TO LIMIT THE CHARGES THAT MAY BE IMPOSED FOR 911 SERVICE; AND TO AMEND SECTION 23‑47‑70, RELATING TO LIABILITY FOR DAMAGES THAT MAY OCCUR FROM A GOVERNMENTAL AGENCY PROVIDING 911 SERVICE, SO AS TO PROVIDE FOR LIABILITY WHEN 911 SERVICE IS PROVIDED AND WHEN IT IS NOT PROVIDED PURSUANT TO TARIFFS ON FILE WITH THE PUBLIC SERVICE COMMISSION AND TO MAKE A TECHNICAL CHANGE.

Ordered for consideration tomorrow.

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

S. 1174 -- Senators Leatherman, O’Dell and Setzler: A BILL TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2009; TO ADOPT THE PROVISIONS OF PUBLIC LAW 111‑126 RELATING TO THE TIMING OF DEDUCTIONS FOR CHARITABLE CONTRIBUTIONS FOR HAITI RELIEF; TO AMEND SECTION 12‑6‑50, AS AMENDED, RELATING TO PROVISIONS OF THE INTERNAL REVENUE CODE NOT ADOPTED BY STATE LAW, SO AS TO ADD PROVISIONS TO THOSE NOT ADOPTED; TO AMEND SECTION 12‑6‑3910, AS AMENDED, RELATING TO ESTIMATED STATE INCOME PAYMENTS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO WAIVE PENALTIES ON CORPORATE TAXPAYERS WHO CALCULATE SOUTH CAROLINA ESTIMATED TAX PAYMENTS BASED ON FEDERAL ESTIMATED TAX PERIODS THAT DO NOT CONFORM TO STATE LAW; AND TO AMEND ACT 110 OF 2007 AND ACT 16 OF 2009, RELATING TO MISCELLANEOUS REVENUE PROVISIONS AND CONFORMITY OF STATE INCOME TAX LAW TO THE INTERNAL REVENUE CODE, SO AS TO DELETE OBSOLETE PROVISIONS.

Ordered for consideration tomorrow.

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

S. 1175 -- Senator Land: A BILL TO AMEND SECTION 9‑8‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS OF THE STATE OF SOUTH CAROLINA, SO AS TO PROVIDE THAT A PERSON ASSUMING THE OFFICE OF ATTORNEY GENERAL OF THIS STATE AFTER 2010, MUST BE A MEMBER OF THAT RETIREMENT SYSTEM AND TO MAKE THE NECESSARY PROVISIONS FOR THE ATTORNEY GENERAL TO BECOME A MEMBER OF THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS OF THE STATE OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

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

S. 1190 -- Senator Leatherman: A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS’ MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Judiciary submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

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

H. 4174 -- Reps. Harvin, Bales, Harrison, G.M. Smith and Wylie: A BILL TO AMEND SECTION 12‑37‑3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING WHEN A PARCEL OF REAL PROPERTY MUST BE APPRAISED AS A RESULT OF AN ASSESSABLE TRANSFER OF INTEREST, SO AS TO PROVIDE THAT A CONVEYANCE TO A TRUST DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE SETTLOR OR SETTLOR’S SPOUSE CONVEYS THE PROPERTY TO A TRUST THE BENEFICIARIES OF WHICH ARE A CHILD OR CHILDREN OF THE SETTLOR OR THE SETTLOR’S SPOUSE AND TO PROVIDE THAT A CONVEYANCE BY DISTRIBUTION UNDER A WILL OR BY INTESTATE SUCCESSION DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE DISTRIBUTEE IS A CHILD OR CHILDREN OF A DECEDENT AND THE DECEDENT DID NOT HAVE A SPOUSE AT THE DECEDENT’S DATE OF DEATH.

Ordered for consideration tomorrow.

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

H. 4485 -- Reps. A.D. Young, Horne, Knight and Harrell: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF SUMMERVILLE NATIONAL GUARD ARMORY IN SUMMERVILLE, SOUTH CAROLINA, TO THE TOWN OF SUMMERVILLE.

Ordered for consideration tomorrow.

**Invitation Accepted**

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

Tuesday, March 16, 2010 - 6:00 p.m. - 7:30 p.m.

Members of the Senate Only - No Guests, Reception honoring The Boeing Company, Capital City Club, by the **SC Business Community**

**Poll of the Invitations Committee**

**Polled 9; Ayes 9; Nays 0; Not Voting; 2**

**AYES**

Campsen Cromer Elliott

Ford Knotts Malloy

McGill O’Dell Verdin

**Total--9**

**NAYS**

**Total--0**

**NOT VOTING**

Alexander Reese

**Total--2**

**Message from the House**

Columbia, S.C., March 2, 2010

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3371 -- Reps. Harvin, Kennedy, Alexander, Funderburk, Gunn, Hart, McEachern, McLeod, Ott, J.E. Smith, Spires, Weeks and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑71‑243 SO AS TO REGULATE A PROVIDER OF HEALTH CARE AND THE ISSUER OF INDIVIDUAL HEALTH INSURANCE WHEN AN ISSUER NEGOTIATES RATES WITH A PROVIDER FOR COVERED HEALTH CARE SERVICES AND THEN TERMINATES OR OTHERWISE NONRENEWS THE PROVIDER’S CONTRACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCES**

The following Resolutions were returned with concurrence and received as information:

S. 1228 -- Senator Elliott: A CONCURRENT RESOLUTION TO HONOR THE 173RD AIRBORNE BRIGADE FOR THE DEDICATED SERVICE, HEROISM, AND SACRIFICE IT HAS DISPLAYED THROUGHOUT ITS HISTORY, AND TO PROCLAIM JUNE 3‑7, 2010, “173RD AIRBORNE BRIGADE ASSOCIATION DAYS” IN SOUTH CAROLINA.

S. 1231 -- 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 SERVICE OF PRIVATE FIRST CLASS ROBERT E. FOSTER, JR., OF THE UNITED STATES ARMY DURING HIS TOUR OF MILITARY DUTY AT FORT POLK, LOUISIANA, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

**Message from the House**

Columbia, S.C., March 3, 2010

Mr. President and Senators:

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

(R130, H3624) -- Reps. A.D. Young, Horne, Knight and Harrell: AN ACT TO PROVIDE THAT EACH MEMBER OF THE DORCHESTER COUNTY TRANSPORTATION COMMITTEE IS ALLOWED AND MUST BE PAID FROM DORCHESTER COUNTY “C” FUND REVENUES SEVENTY‑FIVE DOLLARS FOR EACH MEETING AT WHICH THE MEMBER IS IN ATTENDANCE.

Respectfully submitted,

Speaker of the House

Received as Information

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

**Message from the House**

Columbia, S.C., March 3, 2010

Mr. President and Senators:

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

(R135, H4431) -- Rep. H.B. Brown: AN ACT 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.

Respectfully submitted,

Speaker of the House

Received as Information

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

**Message from the House**

Columbia, S.C., March 3, 2010

Mr. President and Senators:

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

(R136, H4432) -- Rep. H.B. Brown: AN ACT 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.

Respectfully submitted,

Speaker of the House

Received as Information

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

**Message from the House**

Columbia, S.C., March 3, 2010

Mr. President and Senators:

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

S. 328 -- Senators Verdin, Grooms, Cromer, Campbell, Bright, Bryant and Campsen: A BILL TO AMEND SECTION 47‑5‑60 OF THE 1976 CODE, RELATING TO INOCULATING PETS AGAINST RABIES, SO AS TO PROVIDE THAT THESE INOCULATIONS MUST BE ADMINISTERED BY A LICENSED VETERINARIAN OR SOMEONE UNDER THE DIRECT SUPERVISION OF A LICENSED VETERINARIAN.

Respectfully submitted,

Speaker of the House

Received as Information

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

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

**THIRD READING BILLS**

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

S. 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.

By prior motion of Senator FAIR

S. 974 -- Senator Campsen: A BILL TO AMEND SECTION 50‑9‑20 OF THE 1976 CODE, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, TO PROVIDE THAT ANNUAL HUNTING AND FISHING LICENSES SHALL BE VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE AND TO PROVIDE THAT THREE‑YEAR HUNTING AND FISHING LICENSES SHALL BE VALID FOR THREE YEARS FROM THE DATE OF ISSUANCE; BY ADDING SECTION 50‑9‑560, TO PROVIDE THAT THE DEPARTMENT MAY ISSUE THREE‑YEAR COMBINATION LICENSES, SPORTSMAN LICENSES, JUNIOR SPORTSMAN LICENSES, BIG GAME PERMITS, AND WILDLIFE MANAGEMENT AREA PERMITS; TO AMEND SECTION 50‑9‑920, RELATING TO REVENUE FROM THE SALE OF LIFETIME LICENSES, TO ESTABLISH THE THREE‑YEAR HUNTING AND FISHING LICENSE FUND, TO PROVIDE THAT THREE‑YEAR LICENSE FEES ARE DEPOSITED IN THE FUND, TO PROVIDE THAT ONE THIRD OF THE FUND MUST BE DISTRIBUTED TO THE GAME PROTECTION FUND, TO ESTABLISH THE THREE‑YEAR WILDLIFE MANAGEMENT AREA PERMIT FUND, TO PROVIDE THAT THREE‑YEAR WILDLIFE MANAGEMENT AREA PERMIT FEES ARE DEPOSITED IN THE FUND, TO PROVIDE THAT ONE‑THIRD OF THE FUND MUST BE DISTRIBUTED TO THE WILDLIFE ENDOWMENT FUND; AND TO MAKE CONFORMING AMENDMENTS.

**S. 974--Recorded Vote**

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

S. 932 -- Senators L. Martin and Campsen: A BILL TO AMEND SECTION 50‑16‑25 OF THE 1976 CODE, RELATING TO THE RELEASE OF PIGS FOR HUNTING PURPOSES, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS, BUY, SELL, OFFER FOR SALE, TRANSFER, RELEASE, OR TRANSPORT FOR THE PURPOSE OF RELEASE A MEMBER OF THE SUIDAE FAMILY FOR HUNTING OR TO SUPPLEMENT A FREE ROAMING POPULATION, TO PROVIDE THAT IT IS UNLAWFUL TO REMOVE A LIVE HOG FROM A TRAP OR FROM THE WOODS, FIELDS, OR MARSHES OF THIS STATE, AND TO CLARIFY THAT THIS SECTION DOES NOT APPLY TO ACCEPTED FARMING PRACTICES RELATED TO MEMBERS OF THE SUIDAE FAMILY.

Senator CAMPSEN explained the Bill.

**S. 932--Recorded Vote**

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

S. 964 -- Senators Pinckney and Davis: A BILL TO AMEND SECTION 59‑53‑2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES, SO AS TO CREATE THE TECHNICAL COLLEGE OF THE LOWCOUNTRY ENTERPRISE CAMPUS AUTHORITY.

**S. 964--Recorded Vote**

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

**AMENDMENT ADOPTED, OBJECTION**

S. 693 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑960 SO AS TO ALLOW HOLDERS OF RETAIL PERMITS AUTHORIZING THE SALE OF BEER FOR OFF‑PREMISES CONSUMPTION TO HOLD A LIMITED NUMBER OF BEER TASTINGS AT THE RETAIL LOCATION EACH YEAR UNDER CERTAIN CIRCUMSTANCES.

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

Senators HUTTO and BRIGHT proposed the following amendment (693), which was adopted:

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

/ SECTION 1. Article 9, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61‑4‑960. Notwithstanding another provision of law or regulation, the holder of a retail permit authorizing the sale of beer for off‑premises consumption whose primary product is beer or wine may conduct, in accordance with department rulings or regulations, not more than twenty‑four beer tastings at any one retail location in a calendar quarter, provided that:

(1) at least ten days before the tasting, a notice detailing the specific date and hours of the tasting must be sent by first class mail or by electronic mail to the State Law Enforcement Division;

(2) the tastings must be conducted by the retailer or an agent or independent contractor of the retailer and may not be conducted by a wholesaler or manufacturer or an employee, agent, or independent contractor of a wholesaler or manufacturer. Nothing in this subsection prohibits a manufacturer or employee, agent, or independent contractor of a manufacturer from attending a tasting to provide information and offer educational material on the products to be sampled. For purposes of this subsection, a wholesaler is not considered an employee, agent, or independent contractor of a manufacturer;

(3) the products must be supplied by the retailer and may not be donated or otherwise supplied at no or reduced cost by the manufacturer or wholesaler;

(4) a sample may not be offered from more than eight products at any one tasting;

(5) no more than one container of each of the products to be sampled may be open at any time. Open containers must be visible at all times and must be removed at the conclusion of a tasting;

(6) the tasting must be held in a designated tasting area of the retail store;

(7) samples shall be no more than two ounces for each product sampled as defined in Section 61-4-10(1);

(8) samples shall be no more than one ounce for each product sampled as defined in Section 61-4-10(2), provided that no more than two of the total eight samples may contain more than ten percent of alcohol by weight;

(9) a person shall not be served more than one sample of each product;

(10) a sample shall not be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty‑one years. A person tasting a sample may not be allowed to loiter on the store premises;

(11) a sampling may not be offered for more than four hours;

(12) the tasting may not be held in conjunction with a wine tasting pursuant to Section 61‑4‑737;

(13) the tasting may not be held in conjunction with a tasting in a retail alcoholic liquor store pursuant to Section 61‑6‑1035 that is adjacent to and licensed in the same name of the retail permit authorizing the sale of beer; and

(14) no retailer may offer, pursuant to this section, more than one sampling per day.

(B) A person who violates the provisions of this section must be assessed a fine of one hundred dollars for each violation. The revenue from these fines must be directed to the Department of Revenue for supplementing funds required for the department’s activities concerning licensure and regulation of alcohol.”

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator LEVENTIS argued contra to the adoption of the amendment.

The amendment was adopted.

Senator LEVENTIS objected to further consideration of the Bill.

**ADOPTED**

S. 1209 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 18, 2010.

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

H. 4580 -- Rep. Crawford: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 18, 2010, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

The Concurrent Resolution was adopted, ordered sent 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 LARRY 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.**

**CONCURRENCE**

S. 19 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑116‑45 SO AS TO PROVIDE THAT EVERY POLICE/SECURITY DEPARTMENT SHALL IMPLEMENT POLICIES AND PROCEDURES TO GOVERN THEIR OPERATIONS; TO AMEND SECTIONS 59‑116‑10, 59‑116‑20, 59‑116‑30, 59‑116‑50, 59‑116‑60, 59‑116‑80, 59‑116‑100, AND 59‑116‑120, RELATING TO THE ESTABLISHMENT, POWERS, AND OPERATION OF CAMPUS SECURITY DEPARTMENTS, SO AS TO REVISE THE DEFINITION OF THE TERMS “CAMPUS” AND “CAMPUS POLICE OFFICER”, AND TO DEFINE THE TERM “CAMPUS SECURITY OFFICER”, TO MAKE TECHNICAL CHANGES, TO REVISE THE JURISDICTIONAL BOUNDARY OF A CONSTABLE AND SECURITY OFFICER, AND TO REVISE THE MARKINGS THAT MAY APPEAR ON A CAMPUS POLICE OFFICER’S VEHICLE AND TO PROVIDE FOR THE USE OF CAMPUS UNMARKED VEHICLES; AND TO REPEAL SECTION 59‑116‑70, RELATING TO THE POSTING OF A BOND BY A CAMPUS POLICE OFFICER BEFORE THE ASSUMPTION OF THEIR DUTIES.

The House returned the Bill with amendments.

On motion of Senator FAIR, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**CARRIED OVER**

S. 191 -- Senators McConnell, Malloy, Campsen, Sheheen, Rose, Campbell and Knotts: A BILL TO ENACT THE SOUTH CAROLINA REDUCTION OF RECIDIVISM ACT OF 2009, SO AS TO PROVIDE LAW ENFORCEMENT OFFICERS WITH THE STATUTORY AUTHORITY TO REDUCE RECIDIVISM RATES, APPREHEND CRIMINALS AND PROTECT POTENTIAL VICTIMS FROM CRIMINAL ENTERPRISES BY AUTHORIZING WARRANTLESS SEARCHES AND SEIZURES OF PROBATIONERS AND PAROLEES; TO AMEND SECTION 20‑7‑8305, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF JUVENILE PAROLE, SO AS TO PROVIDE THAT BEFORE A JUVENILE MAY BE CONDITIONALLY RELEASED, THE JUVENILE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 20‑7‑8320, RELATING TO CONDITIONAL RELEASE, SO AS TO PROVIDE THAT THE JUVENILE MUST BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24‑19‑110, RELATING TO THE PROCEDURE FOR CONDITIONAL RELEASE OF YOUTHFUL OFFENDERS, SO AS TO PROVIDE THAT BEFORE A YOUTHFUL OFFENDER MAY BE CONDITIONALLY RELEASED, THE YOUTHFUL OFFENDER MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24‑13‑710, RELATING TO THE GUIDELINES, ELIGIBILITY CRITERIA, AND IMPLEMENTATION OF A SUPERVISED FURLOUGH PROGRAM, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON SUPERVISED FURLOUGH, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24‑13‑720, RELATING TO INMATES WHO MAY BE PLACED WITHIN CERTAIN PROGRAMS, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON SUPERVISED FURLOUGH, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24‑13‑1330, RELATING TO A COURT INMATE’S AGREEMENT TO TERMS AND CONDITIONS, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON PAROLE, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24‑21‑410, RELATING TO THE COURT BEING AUTHORIZED TO SUSPEND IMPOSITION OF SENTENCE FOR PROBATION AFTER CONVICTION, SO AS TO PROVIDE THAT BEFORE A DEFENDANT MAY BE PLACED ON PROBATION, THE DEFENDANT MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24‑21‑430, RELATING TO THE CONDITIONS OF PROBATION, SO AS TO PROVIDE THAT THE CONDITIONS IMPOSED MUST INCLUDE THE REQUIREMENT THAT THE PROBATIONER MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24‑21‑560, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO PROVIDE THAT THE CONDITIONS OF PARTICIPATION MUST INCLUDE THE REQUIREMENT THAT THE OFFENDER MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24‑21‑640, RELATING TO THE CIRCUMSTANCES WARRANTING PAROLE, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON PAROLE, THE INMATE MUST AGREE TO SEARCH AND SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; AND TO AMEND SECTION 24‑21‑645, RELATING TO THE ORDER AUTHORIZING PAROLE, SO AS TO PROVIDE THAT THE CONDITIONS OF PAROLE MUST INCLUDE THE REQUIREMENT THAT THE PAROLEE MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE.

On motion of Senator LARRY MARTIN, the Bill was carried over.

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

**DEBATE INTERRUPTED**

H. 3305 -- Reps. Bedingfield, Merrill, Bingham, Duncan, Loftis, G.R. Smith, Cato, Owens, Crawford, A.D. Young, Nanney, Bannister, Daning, Harrison, Horne, Kirsh, Lowe, Lucas, E.H. Pitts, Stringer, Thompson, Toole, Wylie, T.R. Young, Long, Rice, Parker, Allison, Littlejohn, Cole, Hiott, Edge, Whitmire, Hearn, Hardwick, D.C. Smith, Pinson, J.R. Smith, Simrill, Brantley, Willis, Hamilton, Erickson, Sottile, Scott, Harrell, Delleney, Gullick, Frye, Clemmons, G.M. Smith, Battle, Sandifer, Millwood, Haley, Ballentine, M.A. Pitts, Cooper, White, Gambrell, Bowen, Umphlett, Forrester, Barfield, Chalk, Herbkersman, Viers, Spires, Huggins, Limehouse, Stewart, Kelly, Brady and D.C. Moss: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT OF SUFFRAGE, BY ADDING SECTION 12 SO AS TO GUARANTEE THE RIGHT OF AN INDIVIDUAL TO VOTE BY SECRET BALLOT FOR A DESIGNATION, A SELECTION, OR AN AUTHORIZATION FOR EMPLOYEE REPRESENTATION BY A LABOR ORGANIZATION.

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

Senator HUTTO spoke on the Joint Resolution.

**ACTING PRESIDENT PRESIDES**

At 3:15 P.M., Senator NICHOLSON assumed the Chair.

Senator HUTTO spoke on the Joint Resolution.

With Senator HUTTO retaining the floor, on motion of Senator SETZLER, with unanimous consent, debate was interrupted by adjournment.

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Banking and Insurance Committee, the following appointments were confirmed in open session:

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2007, and to expire June 30, 2011

SC Bankers Association:

H. Blake Gibbons, Jr., President, The Citizens Bank, 124 Main Street, Olanta, SC 29114

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2010, and to expire June 30, 2014

Mortgage Banker:

Rhonda B. Marcum, Mortgage Bankers Association of the Carolinas, Inc., P. O. Box 2588, Mount Pleasant, SC 29465

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

Initial Appointment, South Carolina Commission on Women, with the term to commence October 18, 2009, and to expire October 18, 2013

At-Large:

Cheryl A. Collier, North Greenville University, P. O. Box 1892, Tigerville, SC 29688 *VICE* Toney Parks

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2009, and to expire May 31, 2012

Appraiser - General:

Joel W. Norwood, P. O. Box 5956, Greenville, SC 29606 *VICE* Charles B. Stone

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

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2010, and to expire February 13, 2015

At-Large:

John Fleming Hassell III, The Maritime Association, P. O. Box 494, Charleston, SC 29402

**LOCAL APPOINTMENT**

**Confirmation**

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

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

Wynee Denise Eubanks, 107 Hillandale Road, Pendleton, SC 29670 *VICE* Michael F. Smith

**MOTION ADOPTED**

On motion of Senators LEVENTIS and LAND, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Guy R. Dyke.  Sumter County has lost a decorated military hero and a devoted public servant.  Guy Dyke, 86, died Monday, February 22, 2010, at his home in Dalzell.  Like many “transplants,” Dyke made his way to Sumter County by way of Shaw Air Force Base, where he retired as a master sergeant from the U.S. Air Force after 28 years of service.  As was common for a member of *The Greatest Generation*, he served in the Army Air Corps and was a veteran of World War II, the Korean War and the Vietnam War.  He won numerous military awards, including the Distinguished Service Award, Asiatic Pacific Theater Victory Medal, American Theater Victory Medal, American Theater of Operation Medal, World War II Victory Medal and Purple Heart. Photography, which he learned while in the U.S. Air Force, was one of Dyke's passions. He spent his entire military career serving as a military photographer, and would go on to take photographs of six presidents, Eleanor Roosevelt and Queen Elizabeth, among others.  Dyke had a passion for life.  He was active in community service, serving 12 years on the Sumter School District 2 Board of Trustees.  Above all, Guy Dyke was a man who loved his family.  He will be deeply missed by his family, and by those many friends who loved him as extended family. Our world is better and brighter today because Guy Dyke lived among us, and his legacy will continue on through his children, their children, and the generations to follow.

**ADJOURNMENT**

At 5:03 P.M., on motion of Senator SETZLER, the Senate adjourned to meet tomorrow at 11:00 A.M.

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