**Wednesday, April 14, 2010**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 11:45 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT *Pro Tempore*.

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

Joshua challenged his people, saying to them, “ ‘choose this day whom you will serve...,” and then he declared, “ ‘as for me and my household, we will serve the Lord.’ ” (Joshua 24:15)

Let us pray:

Holy Lord, we can’t begin to count the many times each hour of every day when we are called upon to make choices. Insignificant matters, great and weighty decisions - they all require us to be wise and caring in what we choose. O God, continue to direct and lead each of the forty-six members of this Senate as they make determinations which greatly impact the people and many of the institutions of this State. And once again, dear Lord, our hearts are filled with compassion, in this instance for the people of the Tibetan-region of China where earlier today more than 400 hundred have been killed and 10,000 injured by devastating earthquakes. O God of mercy, be with all who are survivors and give them hope for the future. We pray these things in Your loving and blessed name, O Lord.

Amen.

**RECESS**

At 11:55 A.M., on motion of Senator LARRY MARTIN, the Senate receded from business for the purpose of attending the Joint Assembly.

**JOINT ASSEMBLY**

**Elections**

At Twelve O'clock Noon the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 1221 -- Senator Knotts: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 14, 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.

**Election to an At-Large Position**

**on the Board of Trustees for The Citadel**

The PRESIDENT announced that nominations were in order to elect a successor to an at-Large position on the Board of Trustees for The Citadel.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Dylan Goff, Mr. Robert E. Hood, Mr. Michael D. Hunter, Mr. Wallace Scarborough and Mr. Duncan Wheale had been screened and found qualified to serve.

On motion of Senator KNOTTS, with unanimous consent, the names of Mr. Robert E. Hood and Mr. Michael D. Hunter were withdrawn from consideration.

Senator KNOTTS placed the names of Mr. Dylan Goff, Mr. Wallace Scarborough and Mr. Duncan Wheale in nomination.

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

The following named Senators voted for Mr. Goff:

Alexander Anderson Bryant

Cleary Courson Cromer

Davis Hayes Hutto

Jackson Land Leventis

Lourie Malloy *Martin, Shane*

McGill Nicholson O’Dell

Peeler Rankin Reese

Rose Scott Setzler

Sheheen Verdin Williams

**Total--27**

The following named Senators voted for Mr. Scarborough:

Bright Campbell Campsen

Elliott Ford Grooms

Knotts Leatherman *Martin, Larry*

Massey McConnell Shoopman

**Total--12**

The following named Senators voted for Mr. Wheale:

Fair Ryberg

**Total--2**

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

The following named Representatives voted for Mr. Goff:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bowen |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | Clemmons | Clyburn |
| Cole | Delleney | Dillard |
| Forrester | Frye | Funderburk |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Kelly | Kennedy | King |
| Knight | Long | Lucas |
| McEachern | McLeod | Millwood |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Owens |
| Parker | Pinson | Rutherford |
| Sellers | Skelton | G. R. Smith |
| J. E. Smith | J. R. Smith | Stavrinakis |
| Vick | Viers | Weeks |
| Williams | Wylie | T. R. Young |

**Total--72**

The following named Representatives voted for Mr. Scarborough:

|  |  |  |
| --- | --- | --- |
| Bannister | Battle | Bedingfield |
| Bingham | Bowers | Brady |
| R. L. Brown | Cato | Chalk |
| Cooper | Crawford | Daning |
| Duncan | Edge | Gambrell |
| Herbkersman | Horne | Limehouse |
| Littlejohn | Lowe | Mack |
| Merrill | Miller | Rice |
| Sandifer | Scott | Simrill |
| D. C. Smith | G. M. Smith | Sottile |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Whipper | White | Whitmire |
| Willis | A. D. Young |  |

**Total--41**

The following named Representatives voted for Mr. Wheale:

**Total--0**

**RECAPITULATION**

Total number of Senators voting 41

Total number of Representatives voting 113

Grand Total 154

Necessary to a choice 78

Of which Mr. Goff received 99

Of which Mr. Scarborough received 53

Of which Mr. Wheale received 2

Whereupon, the PRESIDENT announced that the Honorable Dylan Goff was elected to a position on the Board of Trustees for The Citadel, at-Large position for the term prescribed by law.

**Election to Three At-Large Positions**

**on the Board of Trustees for Clemson University**

The PRESIDENT announced that nominations were in order to elect a successor to the three at-Large positions on the Board of Trustees for Clemson University.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. John Bednar, Mr. John J. Capitan, Jr., Dr. Ronald Lee, Ms. Patti McAbee, Mr. Nicky McCarter, Ms. Weesie Poole, Mr. Neil C. Robinson, Mr. Allan Sloan, Mr. Joseph D. Swann and Mr. John Warner had been screened and found qualified to serve.

On motion of Senator KNOTTS, with unanimous consent, the names of Dr. Ronnie Lee, Ms. Weesie Poole, Mr. Neil Robinson and Mr. John Warner were withdrawn from consideration.

Senator KNOTTS placed the names of Mr. John Bednar, Mr. John J. Capitan, Jr., Ms. Patti McAbee, Mr. Nicky McCarter, Mr. Allan Sloan and Mr. Joseph D. Swann in nomination.

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

The following named Senators voted for Mr. Bednar:

**Total--0**

The following named Senators voted for Mr. Capitan:

Ford

**Total--1**

The following named Senators voted for Ms. McAbee:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McConnell McGill Mulvaney

Nicholson O’Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--44**

The following named Senators voted for Mr. McCarter:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McConnell McGill Mulvaney

Nicholson O’Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--44**

The following named Senators voted for Mr. Sloan:

Bright

**Total--1**

The following named Senators voted for Mr. Swann:

Alexander Anderson Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Mulvaney Nicholson O’Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Verdin Williams

**Total--42**

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

The following named Representatives voted for Mr. Bednar:

**Total--0**

The following named Representatives voted for Mr. Capitan:

|  |  |  |
| --- | --- | --- |
| Loftis |  |  |

**Total--1**

The following named Representatives voted for Ms. McAbee:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | 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 |
| Daning | Delleney | Dillard |
| Duncan | Edge | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Littlejohn | 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 | Rice |
| Rutherford | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stewart | Stringer | Thompson |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--112**

The following named Representatives voted for Mr. McCarter:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | 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 | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Kelly | Kennedy |
| King | 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 |
| 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 |
| T. R. Young |  |  |

**Total--118**

The following named Representatives voted for Mr. Sloan:

|  |  |  |
| --- | --- | --- |
| Gilliard | Hutto | Stavrinakis |

**Total--3**

The following named Representatives voted for Mr. Swann:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | 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 | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Kelly | Kennedy | King |
| 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 | Rice |
| Rutherford | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--116**

**RECAPITULATION**

Total number of Senators voting 44

Total number of Representatives voting 118

Grand Total 162

Necessary to a choice 82

Of which Mr. Bednar received 0

Of which Mr. Capitan received 2

Of which Ms. McAbee received 156

Of which Mr. McCarter received 162

Of which Mr. Sloan received 4

Of which Mr. Swann received 158

Whereupon, the PRESIDENT announced that the Honorable Nicky McCarter, the Honorable Joseph D. Swann and the Honorable Patti McAbee were elected to the three at-Large positions on the Board of Trustees for Clemson University for the terms prescribed by law.

**Election to the Board of Trustees for the**

**College of Charleston, 1st Congressional District, Seat #1**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 1st Congressional District, Seat #1.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Joseph F. Thompson, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Joseph F. Thompson, Jr. was elected to a position on the Board of Trustees for the College of Charleston, 1st Congressional District, Seat #1 for the term prescribed by law.

**Election to the Board of Trustees for the**

**College of Charleston, 2nd Congressional District, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 2nd Congressional District, Seat #3.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. John H. Busch and Mr. Gerald Killeen had been screened and found qualified to serve.

On motion of Senator KNOTTS, the names of Mr. John H. Busch and Mr. Gerald Killeen were placed in nomination.

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

The following named Senators voted for Mr. Busch:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McConnell

McGill Mulvaney Nicholson

O’Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Verdin Williams

**Total--42**

The following named Senators voted for Mr. Killeen:

Ford Sheheen

**Total--2**

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

The following named Representatives voted for Mr. Busch:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | 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 | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Kelly | King |
| Knight | Limehouse | Littlejohn |
| 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 | 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 |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--114**

The following named Representatives voted for Mr. Killeen:

|  |  |  |
| --- | --- | --- |
| Kennedy |  |  |

**Total--1**

**RECAPITULATION**

Total number of Senators voting 44

Total number of Representatives voting 115

Grand Total 159

Necessary to a choice 80

Of which Mr. Busch received 156

Of which Mr. Killeen received 3

Whereupon, the PRESIDENT announced that the Honorable John H. Busch was elected to a position on the Board of Trustees for the College of Charleston from the 2nd Congressional District, Seat #3 for the term prescribed by law.

**Election to the Board of Trustees for the**

**College of Charleston, 3rd Congressional District, Seat #5**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 3rd Congressional District, Seat #5.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ms. Analiza Oehmig Moorhead had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Analiza Oehmig Moorhead was elected to a position on the Board of Trustees for the College of Charleston, 3rd Congressional District, Seat #5 for the term prescribed by law.

**Election to the Board of Trustees for the**

**College of Charleston, 4th Congressional District, Seat #7**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 4th Congressional District, Seat #7.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. John B. Wood, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable John B. Wood, Jr. was elected to a position on the Board of Trustees for the College of Charleston from the 4th Congressional District, Seat #7 for the term prescribed by law.

**Election to the Board of Trustees for the**

**College of Charleston, 5th Congressional District, Seat #9**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 5th Congressional District, Seat #9.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Frank M. Gadsden had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Frank M. Gadsden was elected to the position on the Board of Trustees for the College of Charleston, 5th Congressional District, Seat #9 for the term prescribed by law.

**Election to the Board of Trustees for the**

**College of Charleston, 6th Congressional District, Seat #11**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 6th Congressional District, Seat #11.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ms. Demetria Noisette Clemons had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Demetria Noisette Clemons elected to the position on the Board of Trustees for the College of Charleston, 6th Congressional District, Seat #11 for the term prescribed by law.

**Election to the Board of Trustees for the**

**College of Charleston, At-Large Position, Seat #13**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for the College of Charleston, Seat #13.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Daniel Ravenel had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Daniel Ravenel was elected to an at-large position on the Board of Trustees for the College of Charleston, Seat #13 for the term prescribed by law.

**Election to the Board of Trustees for the**

**College of Charleston, At-Large Position, Seat #15**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for the College of Charleston, Seat #15.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Donald H. Belk had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Donald H. Belk was elected to an at-large position on the Board of Trustees for the College of Charleston, Seat #15 for the term prescribed by law.

**Election to the Board of Trustees for**

**Coastal Carolina University, 1st Congressional District, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University from the 1st Congressional District, Seat #2.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Larry Biddle had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Larry Biddle was elected to a position on the Board of Trustees for Coastal Carolina University, 1st Congressional District, Seat #2 for the term prescribed by law.

**Election to the Board of Trustees for**

**Coastal Carolina University, 4th Congressional District, Seat #8**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University from the 4th Congressional District, Seat #8.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Wyatt Henderson had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Wyatt Henderson was elected to a position on the Board of Trustees for Coastal Carolina University, 4th Congressional District, Seat #8 for the term prescribed by law.

**Election to the Board of Trustees for**

**Francis Marion University, 1st Congressional District, Seat #1**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Francis Marion University, 1st Congressional District, Seat #1.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. H. Randall Dozier had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable H. Randall Dozier was elected to a position on the Board of Trustees for Francis Marion University, 1st Congressional District, Seat #1 for the term prescribed by law.

**Election to the Board of Trustees for**

**Francis Marion University, 3rd Congressional District, Seat #5**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Francis Marion University, 3rd Congressional District, Seat #5.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. R. Tracy Freeman had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable R. Tracy Freeman was elected to a position on the Board of Trustees for Francis Marion University, 3rd Congressional District, Seat #5 for the term prescribed by law.

**Election to the Board of Trustees for**

**Francis Marion University, 4th Congressional District, Seat #7**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Francis Marion University from the 4th Congressional District, Seat #7.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. L. Franklin Elmore had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable L. Franklin Elmore was elected to a position on the Board of Trustees for Francis Marion University, 4th Congressional District, Seat #7 for the term prescribed by law.

**Election to the Board of Trustees for**

**Francis Marion University, 5th Congressional District, Seat #9**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Francis Marion University, 5th Congressional District, Seat #9.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. W. C. Stanton had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable W. C. Stanton was elected to a position on the Board of Trustees for Francis Marion University, 5th Congressional District, Seat #9 for the term prescribed by law.

**Election to the Board of Trustees for**

**Francis Marion University, 6th Congressional District, Seat #11**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Francis Marion University, 6th Congressional District, Seat #11.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Jim Brown had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jim Brown was elected to a position on the Board of Trustees for Francis Marion University, 6th Congressional District, Seat #11 for the term prescribed by law.

**Election to the Board of Trustees for**

**Francis Marion University, At-Large Position, Seat #13**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for Francis Marion University, Seat #13.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Robert E. Lee had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert E. Lee was elected to an at-large position on the Board of Trustees for Francis Marion University, Seat #13 for the term prescribed by law.

**Election to the Board of Trustees for**

**Francis Marion University, At-Large Position, Seat #15**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for Francis Marion University, Seat #15.

Senator KNOTTS, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Kenneth W. Jackson had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Kenneth W. Jackson was elected to an at-large position on the Board of Trustees for Francis Marion University, Seat #15 for the term prescribed by law.

**Election to the Board of Trustees for**

**Lander University, 1st Congressional District, Seat #1**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, 1st Congressional District, Seat #1.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Robert A. Barber, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert A. Barber, Jr. was elected to a position on the Board of Trustees for Lander University, 1st Congressional District, Seat #1 for the term prescribed by law.

**Election to the Board of Trustees for**

**Lander University, 2nd Congressional District, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, 2nd Congressional District, Seat #3.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Maurice Holloway had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Maurice Holloway was elected to a position on the Board of Trustees for Lander University, 2nd Congressional District, Seat #3 for the term prescribed by law.

**Election to the Board of Trustees for**

**Lander University, 3rd Congressional District, Seat #5**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, 3rd Congressional District, Seat #5.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ms. Mamie W. Nicholson had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Mamie W. Nicholson was elected to a position on the Board of Trustees for Lander University, 3rd Congressional District, Seat #5 for the term prescribed by law.

**Election to the Board of Trustees for**

**Lander University, 4th Congressional District, Seat #7**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, 4th Congressional District, Seat #7.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Fred Thrailkill had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Fred Thrailkill was elected to a position on the Board of Trustees for Lander University, 4th Congressional District, Seat #7 for the term prescribed by law.

**Election to the Board of Trustees for**

**Lander University, 5th Congressional District, Seat #9**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, 5th Congressional District, Seat #9.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. John Nicholson had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable John Nicholson was elected to a position on the Board of Trustees for Lander University, 5th Congressional District, Seat #9 for the term prescribed by law.

**Election to the Board of Trustees for**

**Lander University, 6th Congressional District, Seat #11**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, 6th Congressional District, Seat #11.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Ann Hurst had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Ann Hurst was elected to a position on the Board of Trustees for Lander University, 6th Congressional District, Seat #11 for the term prescribed by law.

**Election to the Board of Trustees for**

**Lander University, At-Large Position, Seat #13**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large position, Seat #13.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Raymond D. Hunt had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Raymond D. Hunt was elected to a position on the Board of Trustees for Lander University, at-large position, Seat #13 for the term prescribed by law.

**Election to the Board of Trustees for**

**Lander University, At-Large Position, Seat #15**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large position, Seat #15.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Bobby M. Bowers had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Bobby M. Bowers was elected to a position on the Board of Trustees for Lander University, at-large position, Seat #15 for the term prescribed by law.

**Election to the Board of Trustees for**

**the Medical University of South Carolina University**

**1st Congressional District, Medical Position**

The PRESIDENT announced that nominations were in order to elect a successor to a medical position on the Board of Trustees for the Medical University of South Carolina University, 1st Congressional District.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Donald R. Johnson II had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Donald R. Johnson II was elected to a medical position on the Board of Trustees for the Medical University of South Carolina University, 1st Congressional District for the term prescribed by law.

**Election to the Board of Trustees for**

**the Medical University of South Carolina University**

**2nd Congressional District, Medical Position**

The PRESIDENT announced that nominations were in order to elect a successor to a medical position on the Board of Trustees for the Medical University of South Carolina University, 2nd Congressional District.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Harold Jablon and Dr. Thomas C. Rowland, Jr. had been screened and found qualified to serve.

On motion of Senator KNOTTS, the name of Dr. Harold Jablon was withdrawn from consideration.

Senator KNOTTS placed the name of Dr. Thomas C. Rowland, Jr. in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Thomas C. Rowland, Jr. was elected to a medical position on the Board of Trustees for the Medical University of South Carolina University, 2nd Congressional District for the term prescribed by law.

**Election to the Board of Trustees for**

**the Medical University of South Carolina University**

**3rd Congressional District, Medical Position**

The PRESIDENT announced that nominations were in order to elect a successor to a medical position on the Board of Trustees for the Medical University of South Carolina University, 3rd Congressional District.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Stanley C. Baker, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Stanley C. Baker, Jr. was elected to a medical position on the Board of Trustees for The Medical University of South Carolina University, 3rd Congressional District for the term prescribed by law.

**Election to the Board of Trustees for**

**the Medical University of South Carolina University**

**4th Congressional District, Non-Medical Position**

The PRESIDENT announced that nominations were in order to elect a successor to a non-medical position on the Board of Trustees for the Medical University of South Carolina University, 4th Congressional District.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Thomas L. Stephenson had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Thomas L. Stephenson was elected to a non-medical position on the Board of Trustees for the Medical University of South Carolina University, 4th Congressional District for the term prescribed by law.

**Election to the Board of Trustees for**

**the Medical University of South Carolina University**

**5th Congressional District, Non-Medical Position**

The PRESIDENT announced that nominations were in order to elect a successor to a non-medical position on the Board of Trustees for the Medical University of South Carolina University, 5th Congressional District.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. James E. Wiseman, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James E. Wiseman, Jr. was elected to a non-medical position on the Board of Trustees for the Medical University of South Carolina University, 5th Congressional District for the term prescribed by law.

**Election to the Board of Trustees for**

**the Medical University of South Carolina University**

**6th Congressional District, Non-Medical Position**

The PRESIDENT announced that nominations were in order to elect a successor to a non-medical position on the Board of Trustees for the Medical University of South Carolina University, 6th Congressional District.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Charlie Appleby and Mr. Robin Tallon had been screened and found qualified to serve.

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

The following named Senators voted for Mr. Appleby:

Courson Cromer Davis

Leatherman Mulvaney Ryberg

**Total--6**

The following named Senators voted for Mr. Tallon:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Elliott

Fair Ford Grooms

Hayes Hutto Jackson

Knotts Land Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McConnell

McGill Nicholson O’Dell

Peeler Pinckney Rankin

Reese Rose Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--38**

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

The following named Representatives voted for Mr. Appleby:

|  |  |  |
| --- | --- | --- |
| Barfield | Bedingfield | Bowen |
| Bowers | R. L. Brown | Chalk |
| Clemmons | Crawford | Daning |
| Delleney | Duncan | Erickson |
| Gilliard | Loftis | Lowe |
| Lucas | Millwood | Nanney |
| Norman | Pinson | Sellers |
| Simrill | G. M. Smith | G. R. Smith |
| Willis |  |  |

**Total--25**

The following named Representatives voted for Mr. Tallon:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Battle |
| Bingham | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| Cato | Clyburn | Cobb-Hunter |
| Cole | Cooper | Dillard |
| Edge | Forrester | Funderburk |
| Gambrell | Govan | Gunn |
| Haley | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Kelly | King |
| Knight | Limehouse | Littlejohn |
| Long | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Rice | Rutherford |
| Sandifer | Scott | Skelton |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Thompson | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | A. D. Young | T. R. Young |

**Total--87**

**RECAPITULATION**

Total number of Senators voting 44

Total number of Representatives voting 112

Grand Total 156

Necessary to a choice 79

Of which Mr. Appleby received 31

Of which Mr. Tallon received 125

Whereupon, the PRESIDENT announced that the Honorable Robin Tallon was elected to a non-medical position on the Board of Trustees for the Medical University of South Carolina University, 6th Congressional District for the term prescribed by law.

**Election to the Board of Trustees for**

**South Carolina State University**

**3rd Congressional District, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for South Carolina State University, 3rd Congressional District, Seat #3.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Lumus Byrd, Jr. and Mr. Robert L. Waldrep, Jr. had been screened and found qualified to serve.

On motion of Senator KNOTTS, the name of Mr. Lumus Byrd, Jr. was withdrawn from consideration

Senator KNOTTS placed the name of Mr. Robert L. Waldrep, Jr. in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert L. Waldrep, Jr. was elected to a position on the Board of Trustees for South Carolina State University, 3rd Congressional District, Seat #3 for the term prescribed by law.

**Election to the Board of Trustees for**

**South Carolina State University, At-Large Position, Seat #7**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for South Carolina State University, at-large position, Seat #7.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Roger Leaks, Jr. and Mr. Robert M. Nance had been screened and found qualified to serve.

On motion of Senator KNOTTS, the name of Mr. Roger Leaks, Jr. was withdrawn from consideration.

On motion of Senator KNOTTS, the name of Mr. Robert M. Nance was placed in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert M. Nance was elected to a position on the Board of Trustees for South Carolina State University, at-large position, Seat #7 for the term prescribed by law.

**Election to the Board of Trustees for**

**South Carolina State University, At-Large Position, Seat #9**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for South Carolina State University, at-large position, Seat #9.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Earl A. Bridges, Jr. and Ms. Patricia Lott had been screened and found qualified to serve.

On motion of Senator KNOTTS, the name of Mr. Earl A. Bridges, Jr. was withdrawn from consideration.

On motion of Senator KNOTTS, the name of Ms. Patricia Lott was placed in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Patricia Lott was elected to a position on the Board of Trustees for South Carolina State University, at-large position, Seat #9 for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 1st Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 1st Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Sharon Eden, Mr. Boyd McLeod and Mr. Charles H. Williams had been screened and found qualified to serve.

On motion of Senator KNOTTS, the names of Dr. Sharon Eden and Mr. Boyd McLeod were withdrawn from consideration.

Senator KNOTTS placed the name of Mr. Charles H. Williams in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Charles H. Williams was elected to a position on the Board of Trustees for the University of South Carolina, 1st Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 3rd Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 3rd Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Jack Osteen and Mr. C. Dorn Smith III had been screened and found qualified to serve.

On motion of Senator KNOTTS, the name of Mr. Jack Osteen was withdrawn from consideration

Senator KNOTTS placed the name of Mr. C. Dorn Smith III in nomination and moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable C. Dorn Smith III was elected to a position on the Board of Trustees for the University of South Carolina, 3rd Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 5th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 5th Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. William C. Hubbard and Mr. Russ “Chip” McKinney, Jr. had been screened and found qualified to serve.

On motion of Senator KNOTTS, the name of Mr. Russ “Chip” McKinney, Jr. was withdrawn from consideration.

Senator KNOTTS placed the name of Mr. William C. Hubbard in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William C. Hubbard was elected to a position on the Board of Trustees for the University of South Carolina, 5th Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 6th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 6th Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Chauncey K. “Greg” Gregory had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Chauncey K. “Greg” Gregory was elected to a position on the Board of Trustees for the University of South Carolina, 6th Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 7th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 7th Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Toney J. Lister had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Toney J. Lister was elected to a position on the Board of Trustees for the University of South Carolina, 7th Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 9th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 9th Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. John C. von Lehe, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable John C. von Lehe, Jr. was elected to a position on the Board of Trustees for the University of South Carolina, 9th Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 12th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 12th Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. C. Edward Floyd had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable C. Edward Floyd was elected to a position on the Board of Trustees for the University of South Carolina, 12th Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 13th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 13th Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Richard A. “Dick” Jones, Jr. and Mr. Mack I. Whittle, Jr. had been screened and found qualified to serve.

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

The following named Senators voted for Mr. Jones:

Bright Bryant Campbell

Campsen Cleary Coleman

Courson Davis Elliott

Grooms Hayes Leventis

*Martin, Larry Martin, Shane* McConnell

Peeler Rankin Reese

Rose Ryberg

**Total--20**

The following named Senators voted for Mr. Whittle:

Alexander Cromer Fair

Ford Hutto Jackson

Knotts Land Leatherman

Lourie Malloy Massey

McGill Mulvaney Nicholson

O’Dell Pinckney Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--23**

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

The following named Representatives voted for Mr. Jones:

|  |  |  |
| --- | --- | --- |
| Anthony | Bales | Bingham |
| Bowen | Bowers | Brady |
| Branham | H. B. Brown | Cobb-Hunter |
| Daning | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Haley | Hardwick |
| Hearn | Herbkersman | Hiott |
| Horne | Hutto | Kelly |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | McLeod |
| Merrill | Millwood | Nanney |
| J. M. Neal | Neilson | Norman |
| Owens | Scott | Sellers |
| Simrill | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Umphlett |
| Vick | Viers | Willis |
| A. D. Young | T. R. Young |  |

**Total--56**

The following named Representatives voted for Mr. Whittle:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Bannister | Barfield |
| Battle | Bedingfield | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cole | Cooper | Crawford |
| Delleney | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Hamilton | Hart | Harvin |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Mack | McEachern | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | Ott | Parker |
| Parks | Pinson | Rice |
| Sandifer | Skelton | G. R. Smith |
| Toole | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie |  |  |

**Total--58**

**RECAPITULATION**

Total number of Senators voting 43

Total number of Representatives voting 114

Grand Total 157

Necessary to a choice 79

Of which Mr. Jones received 76

Of which Mr. Whittle received 81

Whereupon, the PRESIDENT announced that the Honorable Mack I. Whittle, Jr. was elected to a position on the Board of Trustees for the University of South Carolina, 13th Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for the**

**University of South Carolina, 16th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 16th Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Alton Hyatt and Ms. Leah B. Moody had been screened and found qualified to serve.

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

The following named Senators voted for Mr. Hyatt:

Alexander Bryant Campbell

Campsen Cromer Davis

Grooms Hayes Knotts

Leatherman *Martin, Larry* Mulvaney

Peeler Ryberg Shoopman

Verdin

**Total--16**

The following named Senators voted for Ms. Moody:

Anderson Bright Cleary

Coleman Courson Elliott

Fair Ford Hutto

Jackson Land Leventis

Lourie Malloy *Martin, Shane*

Massey McConnell McGill

Nicholson O’Dell Pinckney

Rankin Reese Rose

Scott Setzler Sheheen

Williams

**Total--28**

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

The following named Representatives voted for Mr. Hyatt:

|  |  |  |
| --- | --- | --- |
| Allison | Barfield | Bedingfield |
| Bingham | Bowen | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Haley | Hamilton | Hardwick |
| Hayes | Hearn | Herbkersman |
| Hiott | Horne | Huggins |
| Kelly | Loftis | Long |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | Rice | Sandifer |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young |  |  |

**Total--61**

The following named Representatives voted for Ms. Moody:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Battle | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Harrison | Hart |
| Harvin | Hodges | Hosey |
| Howard | Jefferson | Kennedy |
| King | Knight | Lowe |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | Scott |
| Sellers | J. E. Smith | Vick |
| Weeks | Whipper | Williams |
| T. R. Young |  |  |

**Total--52**

**RECAPITULATION**

Total number of Senators voting 44

Total number of Representatives voting 113

Grand Total 157

Necessary to a choice 79

Of which Mr. Hyatt received 77

Of which Ms. Moody received 80

Whereupon, the PRESIDENT announced that the Honorable Leah B. Moody was elected to a position on the Board of Trustees for the University of South Carolina, 16th Judicial Circuit for the term prescribed by law.

**Election to the Board of Trustees for**

**the Wil Lou Gray Opportunity School**

The PRESIDENT announced that nominations were in order to elect successors to two at-large positions on the Board of Trustees for the Wil Lou Gray Opportunity School.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ms. Marilyn Edwards Taylor and Mr. Thomas B. Hamilton, Jr. had been screened and found qualified to serve and placed their names in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Marilyn Edwards Taylor and the Honorable Thomas B. Hamilton, Jr. were elected to the two positions on the Board of Trustees for the Wil Lou Gray Opportunity School, at-large positions for the terms prescribed by law.

**Election to the Board of Trustees for**

**Winthrop University, 3rd Congressional District**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Winthrop University, 3rd Congressional District.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ms. Janet Smalley had been screened and found qualified to serve and placed her name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Janet Smalley was elected to a position on the Board of Trustees for Winthrop University, 3rd Congressional District for the term prescribed by law.

**Election to the Board of Trustees for**

**Winthrop University, 4th Congressional District**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Winthrop University, 4th Congressional District.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. Scott Talley had been screened and found qualified to serve and placed his name in nomination.

Senator KNOTTS moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Scott Talley was elected to a position on the Board of Trustees for Winthrop University, 4th Congressional District for the term prescribed by law.

**Consumer Affairs Commission**

Immediately following the Joint Assembly for the election to the Boards of Trustees for Colleges and Universities, the PRESIDENT announced that the Joint Assembly had convened under the terms of a second Concurrent Resolution adopted by both Houses:

S. 1292 -- Senator Alexander: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 14, 2010, AT 12:00 NOON, AS THE TIME FOR ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4 WHOSE TERMS HAVE EXPIRED.

**Election to the Consumer Affairs Commission, At-Large Positions**

The PRESIDENT announced that nominations were in order to elect a successor to fill the four at-large positions on the Consumer Affairs Commission.

Senator ALEXANDER, Chairman of the Consumer Affairs Commission Joint Screening Committee, indicated that Mr. Hewey L. Dixon, Mr. Clifford Ray Keasler, Mr. Terrell A. Parrish, Ms. Magaly Petersen Penn, Dr. Lonnie Randolph Jr. and Mr. Johnny E. Sosebee had been screened and found qualified to serve.

On motion of Senator ALEXANDER , the names of Mr. Hewey L. Dixon, Mr. Clifford Ray Keasler, Mr. Terrell A. Parrish, Ms. Magaly Petersen Penn, Dr. Lonnie Randolph Jr. and Mr. Johnny E. Sosebee were placed in nomination.

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

The following named Senators voted for Mr. Dixon:

Bright Courson Elliott

Setzler Sheheen

**Total--5**

The following named Senators voted for Mr. Keasler:

Alexander Bright Bryant

Campbell Campsen Cleary

Cromer Fair Ford

Grooms Hayes *Martin, Larry*

*Martin, Shane* Massey McConnell

McGill O’Dell Peeler

Rankin Reese Rose

Verdin

**Total--22**

The following named Senators voted for Mr. Parrish:

Alexander Anderson Bright

Bryant Campbell Campsen

Cromer Elliott Fair

Ford Grooms Hayes

*Martin, Larry* Massey McConnell

Peeler Reese Rose

Verdin

**Total--19**

The following named Senators voted for Ms. Penn:

Alexander Anderson Bright

Bryant Campbell Campsen

Cromer Elliott Fair

Ford Grooms Hayes

Hutto Jackson Land

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McConnell McGill Nicholson

O’Dell Peeler Pinckney

Reese Rose Scott

Setzler Sheheen Verdin

**Total--33**

The following named Senators voted for Dr. Randolph:

Alexander Anderson Courson

Ford Hutto Jackson

Knotts Land Lourie

Malloy McGill Nicholson

O’Dell Pinckney Reese

Scott Setzler Sheheen

**Total--18**

The following named Senators voted for Mr. Sosebee:

Anderson Bryant Campbell

Campsen Courson Cromer

Elliott Fair Grooms

Hayes Lourie Malloy

*Martin, Larry* Massey McConnell

McGill Nicholson O’Dell

Peeler Rose Scott

Setzler Sheheen Verdin

**Total--24**

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

The following named Representatives voted for Mr. Dixon:

|  |  |  |
| --- | --- | --- |
| Allison | Battle | Forrester |
| Funderburk | Gunn | Hiott |
| Hodges | Hutto | McEachern |
| Ott | Parker | Rice |
| J. E. Smith | Stringer | Wylie |

**Total--15**

The following named Representatives voted for Mr. Keasler:

|  |  |  |
| --- | --- | --- |
| Agnew | Bales | Barfield |
| Battle | Bingham | Bowen |
| Branham | Cato | Chalk |
| Clemmons | Cole | Daning |
| Delleney | Duncan | Edge |
| Erickson | Frye | Gambrell |
| Hamilton | Hardwick | Hearn |
| Herbkersman | Horne | Littlejohn |
| Loftis | Lowe | Lucas |
| McLeod | Merrill | Miller |
| D. C. Moss | V. S. Moss | Neilson |
| Owens | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. R. Smith | Sottile | Spires |
| Stewart | Toole | Umphlett |
| Vick | Viers | White |
| Whitmire | Willis | A. D. Young |
| T. R. Young |  |  |

**Total--52**

The following named Representatives voted for Mr. Parrish:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Bales |
| Bedingfield | Bingham | Bowen |
| Cato | Chalk | Cole |
| Daning | Duncan | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Hamilton | Herbkersman |
| Hiott | Horne | Littlejohn |
| Loftis | Lowe | Lucas |
| McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Owens |
| Parker | Pinson | Rice |
| Sandifer | Simrill | Skelton |
| D. C. Smith | G. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Toole | Umphlett | Vick |
| Viers | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--51**

The following named Representatives voted for Ms. Penn:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clyburn |
| Cobb-Hunter | Cole | Daning |
| Delleney | Dillard | Duncan |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Kennedy | King | Knight |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parker | Parks | Pinson |
| Rice | Rutherford | Sandifer |
| Scott | Sellers | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| T. R. Young |  |  |

**Total--103**

The following named Representatives voted for Dr. Randolph:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bales | Battle | Bowers |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Harvin |
| Hayes | Hearn | Hodges |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | King |
| Long | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parks | Rutherford |
| Sellers | J. E. Smith | Vick |
| Weeks | Whipper | Williams |

**Total--45**

The following named Representatives voted for Mr. Sosebee:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Bannister | Bedingfield | Bingham |
| Bowen | Cato | Chalk |
| Cole | Cooper | Daning |
| Delleney | Dillard | Duncan |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Harvin |
| Herbkersman | Hiott | Horne |
| Huggins | Hutto | Knight |
| Littlejohn | Loftis | Lowe |
| Lucas | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Owens |
| Parker | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Umphlett |
| Viers | Weeks | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--59**

**RECAPITULATION**

Total number of Senators voting 37

Total number of Representatives voting 104

Grand Total 141

Necessary to a choice 71

Of which Mr. Dixon received 20

Of which Mr. Keasler received 74

Of which Mr. Parrish received 70

Of which Ms. Penn received 136

Of which Dr. Randolph received 63

Of which Mr. Sosebee received 83

Whereupon, the PRESIDENT announced that the Honorable Magaly Petersen Penn, the Honorable Johnny E. Sosebee and the Honorable Clifford Ray Keasler were elected to three at-large positions on the Consumer Affairs Commission for the term prescribed by law and the PRESIDENT stated that no other candidate had received the necessary vote for the remaining position and the PRESIDENT ordered the General Assembly to proceed to a subsequent ballot.

**Second Ballot**

The PRESIDENT announced that Mr. Hewey L. Dixon, Mr. Terrell A. Parrish and Dr. Lonnie Randolph Jr. were nominated.

The following named Senators voted for Mr. Dixon:

Leventis

**Total--1**

The following named Senators voted for Mr. Parrish:

Bright Campbell Fair

*Martin, Larry* Massey McConnell

Peeler

**Total--7**

The following named Senators voted for Dr. Randolph:

Alexander Anderson Coleman

Courson Ford Hutto

Jackson Knotts Lourie

Malloy McGill Nicholson

O’Dell Pinckney Reese

Scott Sheheen

**Total--17**

**NAYS**

**Total--0**

The following named Representatives voted for Mr. Dixon:

**Total--0**

The following named Representatives voted for Mr. Parrish:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Daning | Delleney | Duncan |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrison | Herbkersman | Hiott |
| Horne | Huggins | Littlejohn |
| Loftis | Lowe | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Owens | Parker |
| Pinson | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Wylie | A. D. Young |  |

**Total--56**

The following named Representatives voted for Dr. Randolph:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Battle | Bowers | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Hayes |
| Hearn | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| King | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | Neilson | Ott |
| Rutherford | Sellers | J. E. Smith |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--40**

**RECAPITULATION**

Total number of Senators voting 25

Total number of Representatives voting 96

Grand Total 121

Necessary to a choice 61

Of which Mr. Dixon received 1

Of which Mr. Parrish received 63

Of which Dr. Randolph received 59

Whereupon, the PRESIDENT announced that the Honorable Terrell A. Parrish was elected to the remaining at-large position on the Consumer Affairs Commission, for the term prescribed by law.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

**RECESS**

At 2:22 P.M., on motion of Senator McCONNELL, the Senate receded from business until 3:00 P.M.

**AFTERNOON SESSION**

The Senate reassembled at 3:12 P.M. and was called to order by the PRESIDENT *Pro Tempore*.

The PRESIDENT *Pro Tempore* 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**

Reappointment, Calhoun County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Robert H. Lake, 212 Carlisle Ave., St. Matthews, SC 29135

**Doctor of the Day**

Senator LARRY MARTIN introduced Dr. Lori Carnsew of Liberty, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator FAIR, at 6:00 P.M., Senator THOMAS’ leave of absence was extended for the balance of the day.

**Leave of Absence**

At 7:50 P.M., Senator COLEMAN requested a leave of absence for tomorrow.

**RECALLED**

S. 1351 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 7‑7‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO CREATE NEW PRECINCTS, REDESIGNATE AND RENAME CERTAIN PRECINCTS, AND CHANGE THE MAP DESIGNATION ON WHICH THE LINES OF THOSE PRECINCTS ARE DELINEATED.

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

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1355 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE AMENDMENTS TO THE RULES OF PROCEDURE OF THE ADMINISTRATIVE LAW COURT, PURSUANT TO THE PROVISIONS OF ARTICLE V OF THE SOUTH CAROLINA CONSTITUTION AND ARTICLE 5, 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. 1356 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4116, 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. 1357 -- Senators Scott, Lourie, Courson and Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR KILLIAN ELEMENTARY SCHOOL IN RICHLAND COUNTY, AND TO CONGRATULATE THE SCHOOL'S FACULTY, STAFF, STUDENTS, AND PARENTS FOR RECEIVING A 2010 CAROLINA FIRST PALMETTO'S FINEST AWARD.

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

S. 1358 -- Senators Courson, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF MICHAEL J. MUNGO OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

S. 1359 -- Senator Scott: A CONCURRENT RESOLUTION TO RECOGNIZE THE MEMBERS OF JACK AND JILL OF AMERICA, INC. AS THEY HOST THEIR FIRST LEGISLATIVE ON THE HILL SUMMIT ON APRIL 20, 2010, AND TO WELCOME THEM TO THE SOUTH CAROLINA STATE HOUSE.

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

S. 1360 -- Senators Malloy, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, 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 EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT NASCAR RACING IS AN INTEGRAL AND VITAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY, TO RECOGNIZE THE DARLINGTON RACEWAY AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS, TO IDENTIFY AND CELEBRATE SOUTH CAROLINA'S RICH NASCAR HISTORY, AND TO DECLARE THE WEEK OF MAY 3, 2010, THROUGH MAY 9, 2010, "DARLINGTON RACEWAY WEEK, THE WEEK TOO TOUGH TO TAME IN SOUTH CAROLINA".

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

S. 1361 -- 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 SENATE RESOLUTION TO CONGRATULATE MRS. GLENDA BOOTH OF LEXINGTON COUNTY, AMBER ALERT COORDINATOR FOR THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1362 -- Senator McGill: A SENATE RESOLUTION TO CONGRATULATE KINGSTREE'S HARRY W. FLOYD, M.D., UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS A MEDICAL PROFESSIONAL, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1363 -- Senators Hayes, Setzler and Courson: A BILL TO AMEND SECTION 59-26-85 OF THE 1976 CODE, RELATING TO THE INCREASE PAY FOR TEACHERS CERTIFIED BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS, TO PROVIDE THAT TEACHERS RECEIVING CERTIFICATION PRIOR TO JULY 1, 2010, SHALL RECEIVE AN INCREASE IN PAY FOR THE LIFE OF THE CERTIFICATION, TO PROVIDE THAT TEACHERS RECEIVING CERTIFICATION ON OR AFTER JULY 1, 2010, ONLY SHALL RECEIVE AN INCREASE IN PAY FOR THE INITIAL TEN YEARS OF THE CERTIFICATION, AND TO PROVIDE THAT ONLY TEACHERS WHO APPLY FOR CERTIFICATION PRIOR TO JULY 1, 2010, MAY RECEIVE A LOAN FOR THE APPLICATION FEE.

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

S. 1364 -- Senator Elliott: A CONCURRENT RESOLUTION TO DECLARE SATURDAY, APRIL 10, 2010, AS "PEE DEE INDIAN TRIBE OF SOUTH CAROLINA DAY" AND TO ENCOURAGE ALL CITIZENS OF THE PALMETTO STATE TO ENJOY THE TRIBE'S ANNUAL FESTIVAL AND POW-WOW APRIL 10-11, 2010.

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

H. 4700 -- Rep. Hayes: A JOINT RESOLUTION TO PROVIDE FOR AN ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2010 GENERAL ELECTION TO DETERMINE WHETHER OR NOT THE QUALIFIED ELECTORS OF DILLON COUNTY FAVOR HAVING THE DILLON COUNTY BOARD OF EDUCATION ELECTED.

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

H. 4834 -- Reps. Bales, Agnew, Alexander, Allen, Allison, Anderson, Anthony, 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, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO COMMEND AND RECOGNIZE DR. YVONNE P. BROWN OF RICHLAND COUNTY FOR HER DEDICATED SERVICE TO HER COMMUNITY AND HER CHURCH.

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

H. 4835 -- Reps. Barfield, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, 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, 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 LIFE ACHIEVEMENTS OF DR. BUZZ ALDRIN, RETIRED UNITED STATES AIR FORCE PILOT AND NASA ASTRONAUT, AND TO WELCOME HIM TO THE PALMETTO STATE FOR THE MYRTLE BEACH MEMORIAL DAY PARADE.

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

H. 4843 -- Reps. Funderburk, Gunn and Lucas: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MR. JAMIE GUY, GUARDIAN AD LITEM FOR KERSHAW COUNTY, FOR HIS MANY YEARS OF OUTSTANDING COMMUNITY SERVICE ON BEHALF OF ABUSED AND NEGLECTED CHILDREN, AND TO CONGRATULATE HIM ON BEING NAMED GUARDIAN AD LITEM OF THE YEAR FOR KERSHAW COUNTY.

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

H. 4844 -- Reps. Brantley, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, 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, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF JAMES ROLAND RHODES, JR., OF RIDGELAND AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

**REPORTS OF STANDING COMMITTEES**

Senator LEATHERMAN from the Committee on Finance submitted a majority favorable with amendment and Senators LEVENTIS and REESE a minority unfavorable report on:

S. 242 -- Senators Ryberg, L. Martin, Bryant, Fair, Knotts, Davis, O’Dell, Bright and Verdin: A BILL TO CLOSE THE TEACHER AND EMPLOYEE RETENTION INCENTIVE (TERI) PROGRAM TO NEW PARTICIPANTS EFFECTIVE JULY 1, 2009; TO REPEAL ARTICLE 17, CHAPTER 1, TITLE 9 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF THE TERI PROGRAM; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MAY NOT BE AMENDED OR REPEALED EXCEPT IN SEPARATE LEGISLATION RECEIVING AN AFFIRMATIVE TWO‑THIRDS RECORDED VOTE IN EACH HOUSE OF THE GENERAL ASSEMBLY.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Judiciary submitted a favorable report on:

S. 418 -- Senator L. Martin: A BILL TO AMEND SECTION 7‑17‑220 OF THE 1976 CODE, RELATING TO MEETINGS OF THE BOARD OF STATE CANVASSERS, TO PROVIDE THAT A MEETING MAY BE CONVENED BY TELEPHONE OR ELECTRONIC COMMUNICATION INSTEAD OF IN PERSON AT THE OFFICE OF THE STATE ELECTION COMMISSION; AND TO AMEND SECTION 7‑17‑510, RELATING TO THE CONVENING OF THE COUNTY COMMISSIONERS OF ELECTION AS COUNTY BOARDS OF CANVASSERS, TO PROVIDE THAT ANY REQUIRED MEETINGS MAY BE CONVENED BY TELEPHONE OR ELECTRONIC COMMUNICATION.

Ordered for consideration tomorrow.

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

S. 699 -- Senator Leatherman: A BILL TO AMEND CHAPTER 1, TITLE 6 OF THE 1976 CODE, BY ADDING ARTICLE 2 ENACTING THE “FINANCIAL ACCOUNTABILITY ACT” TO REQUIRE POLITICAL SUBDIVISIONS OF THIS STATE TO HAVE ANNUAL FINANCIAL AUDITS AND PROVIDE COPIES OF THESE AUDITS TO THE STATE TREASURER WHERE NOT ALREADY REQUIRED BY LAW, TO PROVIDE FOR ENFORCEMENT OF THIS REQUIREMENT BY MEANS OF WITHHOLDING A PORTION OF STATE FUNDS OTHERWISE DUE THE POLITICAL SUBDIVISION UNTIL COMPLIANCE IS ACHIEVED, TO AUTHORIZE THE STATE TREASURER TO DEVELOP STANDARDS FOR AND REPORT ON THE FINANCIAL HEALTH OF POLITICAL SUBDIVISIONS AND MAKE AUDITS PUBLIC ELECTRONICALLY, AND TO DIRECT THE STATE BUDGET AND CONTROL BOARD TO ASSIST IN THE IMPLEMENTATION OF THIS ACT.

Ordered for consideration tomorrow.

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

S. 1030 -- Senators Hayes, Mulvaney, Coleman, Verdin, S. Martin, Bryant, O’Dell and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑714 SO AS TO DESIGNATE THE MARSH TACKY AS THE OFFICIAL STATE HERITAGE HORSE OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

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

S. 1070 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING PART VII TO ARTICLE 5, TITLE 62 SO AS TO ENACT THE “UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT”, TO DEFINE NECESSARY TERMS, PROVIDE A UNIFORM PROCEDURE FOR JURISDICTION OVER ADULT GUARDIANSHIPS, CONSERVATORSHIPS, AND OTHER PROTECTIVE PROCEEDINGS TO ENSURE ONLY ONE STATE HAS JURISDICTION AT A GIVEN TIME.

Ordered for consideration tomorrow.

Senator RYBERG from the Committee on Labor, Commerce and Industry polled out S. 1097 favorable with amendment:

S. 1097 -- Senators Alexander, L. Martin, Sheheen, O’Dell, Land and Mulvaney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑21‑110 TO CHAPTER 21, TITLE 41 SO AS TO ENACT THE “FUTURE VOLUNTEER FIREFIGHTERS ACT OF SOUTH CAROLINA” AND TO ESTABLISH THE JUNIOR FIREFIGHTERS PROGRAM.

**Poll of the Labor, Commerce and Industry Committee**

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

**AYES**

Ryberg Setzler Leventis

McConnell O’Dell Reese

Ford Alexander Leatherman

Bryant Bright Cleary

Lourie Massey Mulvaney

Nicholson Williams

**Total--17**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

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

S. 1120 -- Senators Lourie, Pinckney, Williams, Leventis, Anderson, Land and Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑3‑1360 SO AS TO PROHIBIT HEALTH CARE PROVIDERS FROM ENGAGING IN DEBT COLLECTION ACTIVITIES RELATING TO MEDICAL TREATMENT RECEIVED IN CONNECTION WITH A CLAIM FOR COMPENSATION OF A VICTIM OF CRIME UNTIL AN AWARD IS MADE OR A CLAIM IS DENIED AND TO STAY THE STATUTE OF LIMITATIONS FOR THE COLLECTION OF THIS DEBT UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

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

S. 1164 -- Senator Rose: A BILL TO AMEND SECTION 12‑43‑220 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, RELATING TO CLASSIFICATIONS FOR ASSESSMENT RATIOS, SO AS TO PROVIDE THAT THE LEGAL RESIDENCE AND NOT MORE THAN FIVE CONTIGUOUS ACRES THERETO LOCATED ON THE HEIRS’ PROPERTY ALSO QUALIFIES FOR THE FOUR PERCENT ASSESSMENT PROVIDED BY THIS SUBSECTION AS LONG AS THE LEGAL RESIDENCE IS OWNED AND OCCUPIED BY ONE OR MORE OF THE COLLECTIVE OWNERS OF THE HEIRS’ PROPERTY.

Ordered for consideration tomorrow.

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

S. 1177 -- Senators Fair, Reese, Cromer, Campbell, Coleman, Shoopman, Williams and Rose: A BILL TO AMEND SECTION 8‑27‑10 OF THE 1976 CODE, RELATING TO THE DEFINITION OF A REPORT AS USED IN THE WHISTLEBLOWER STATUTE, TO PROVIDE THAT TESTIMONY GIVEN TO A STANDING COMMITTEE, SUBCOMMITTEE OF A STANDING COMMITTEE, OR A STUDY COMMITTEE OF THE SENATE OR HOUSE OF REPRESENTATIVES IS ENTITLED TO THE PROTECTIONS OF THE WHISTLEBLOWER STATUTE.

Ordered for consideration tomorrow.

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

S. 1210 -- Senators Fair, Reese, Cromer, Campbell, Coleman, Shoopman and Williams: A BILL TO AMEND CHAPTER 1, TITLE 8 OF THE 1976 CODE, RELATING TO PUBLIC OFFICERS AND EMPLOYEES, BY ADDING SECTION 8‑1‑195, TO PROVIDE THAT IN ANY CIVIL CONSPIRACY LAWSUIT BROUGHT UPON A STATE EMPLOYEE, IF THE COURT FINDS THAT THE EMPLOYEE WAS ACTING WITHIN THE SCOPE OF THE EMPLOYEE’S OFFICIAL DUTIES, THE EMPLOYEE IS IMMUNE FROM SUIT, LIABILITY, AND DAMAGES FROM THE CIVIL CONSPIRACY CLAIM.

Ordered for consideration tomorrow.

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

S. 1323 -- Senators Matthews, Elliott, Malloy, Leventis, Leatherman, Land, McGill and Williams: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 54 TO ESTABLISH THE “I‑95 CORRIDOR AUTHORITY ACT” AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND POWERS OF THE AUTHORITY.

Ordered for consideration tomorrow.

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

S. 1339 -- Senator Peeler: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 55 TO ESTABLISH THE “I‑85 CHEROKEE‑SPARTANBURG CORRIDOR AUTHORITY ACT” AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND POWERS OF THE AUTHORITY.

Ordered for consideration tomorrow.

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

H. 4347 -- Reps. Cooper and White: A BILL TO AMEND SECTION 2‑7‑71, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX BILLS AND REVENUE IMPACT STATEMENTS, SO AS TO PROVIDE THAT THE REVENUE IMPACT STATEMENT MUST BE SIGNED BY THE CHIEF ECONOMIST OF THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD; AND TO AMEND SECTION 2‑7‑78, RELATING TO THE CERTIFICATION OF A REVENUE IMPACT OF A PROVISION FOR PURPOSES OF ITS INCLUSION IN THE ANNUAL GENERAL APPROPRIATIONS BILL AND CHANGES IN THE OFFICIAL REVENUE ESTIMATE, SO AS TO PROVIDE THAT THE REVENUE IMPACTS MUST BE CERTIFIED BY THE CHIEF ECONOMIST OF THE OFFICE OF RESEARCH AND STATISTICS AND THAT THE BOARD OF ECONOMIC ADVISORS SHALL ADJUST ITS ESTIMATES TO REFLECT THESE CERTIFICATIONS AND MAKE OTHER ADJUSTMENTS IT CONSIDERS NECESSARY IN THE FINAL VERSION OF THE ANNUAL GENERAL APPROPRIATIONS BILL.

Ordered for consideration tomorrow.

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

H. 4478 -- Reps. Harrell, Cato, Cooper, Duncan, Harrison, Owens, Sandifer, White, Bingham, Barfield, D.C. Moss, Horne, Skelton, V.S. Moss, Bannister, Whitmire, Toole, J.R. Smith, Merrill, Hamilton, Thompson, Bedingfield, Stewart, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Battle, Bowen, Bowers, Brady, Branham, Brantley, G.A. Brown, Chalk, Clemmons, Clyburn, Cole, Crawford, Daning, Delleney, Dillard, Erickson, Forrester, Gambrell, Govan, Hardwick, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Hutto, Hosey, Jefferson, Kelly, Huggins, Kennedy, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Mack, McEachern, Miller, Millwood, Nanney, J.M. Neal, Norman, Ott, Parker, Parks, Pinson, M.A. Pitts, Rice, Scott, Simrill, D.C. Smith, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Umphlett, Vick, Viers, Weeks, Willis, Wylie, A.D. Young, T.R. Young, Mitchell, Lucas and Jennings: A BILL TO ENACT THE “SOUTH CAROLINA ECONOMIC DEVELOPMENT COMPETITIVENESS ACT OF 2010” INCLUDING PROVISIONS TO AMEND SECTION 2‑75‑30, AS AMENDED, RELATING TO RESEARCH CENTERS OF EXCELLENCE MATCHING ENDOWMENTS, SO AS TO FURTHER PROVIDE FOR THE PROCESS AND PROCEDURES FOR AWARDING ENDOWMENTS AND FOR THE APPLICABILITY OF MATCHING REQUIREMENTS; TO AMEND SECTION 2‑75‑50, AS AMENDED, RELATING TO APPLICATION REQUIREMENTS FOR AN AWARD FROM THE CENTERS OF EXCELLENCE MATCHING ENDOWMENT, SO AS TO CLARIFY WHAT THE CONTENTS OF AN APPLICATION TO THE REVIEW BOARD MUST CONTAIN; TO AMEND SECTION 4‑12‑30, AS AMENDED, RELATING TO FEES IN LIEU OF TAXES, SO AS TO INCREASE THE NUMBER OF YEARS A FEE IS AVAILABLE AND TO DELETE A PROVISION THAT REQUIRES THE FAIR MARKET VALUE OF THE PROPERTY ESTABLISHED FOR THE FIRST YEAR OF THE FEE TO REMAIN THE FAIR MARKET VALUE OF THE REAL PROPERTY FOR THE LIFE OF THE FEE; TO AMEND SECTION 4‑29‑67, AS AMENDED, RELATING TO INDUSTRIAL DEVELOPMENT PROJECTS REQUIRING A FEE IN LIEU OF PROPERTY TAXES AGREEMENT, SO AS TO ADD CERTAIN DEFINITIONS, TO FURTHER PROVIDE FOR THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED NUCLEAR PLANT FACILITY, TO PROVIDE FOR THE TIMELINE WHEN THE SPONSOR MUST ENTER INTO AN INITIAL LEASE AGREEMENT WITH THE COUNTY IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY, AND THE TIMELINES WHEN THE SPONSOR MUST MEET MINIMUM INVESTMENT REQUIREMENTS IN THE CASE OF A QUALIFIED NUCLEAR PLANT FACILITY AND PLACE THE PROJECT INTO SERVICE, AND TO DELETE A PROVISION REQUIRING THE FAIR MARKET VALUE OF THE PROPERTY ESTABLISHED FOR THE FIRST YEAR OF THE FEE TO REMAIN THE FAIR MARKET VALUE OF THE PROPERTY FOR THE LIFE OF THE FEE; TO AMEND SECTION 4‑29‑68, AS AMENDED, RELATING TO SPECIAL SOURCE REVENUE BONDS WHICH MAY BE ISSUED BASED ON THE RECEIPT OF CERTAIN REVENUES, SO AS TO SPECIFY THAT ONE OF THE PURPOSES FOR THE ISSUANCE OF THESE BONDS IS TO PAY FOR THE COST OF PERSONAL PROPERTY INCLUDING MACHINERY AND EQUIPMENT; BY ADDING CHAPTER 18 TO TITLE 11 SO AS TO ESTABLISH MECHANISMS AND PROCEDURES FOR THE ALLOCATION, REALLOCATION, AND ISSUANCE OF FEDERAL RECOVERY ZONE BONDS; TO AMEND SECTION 4‑29‑10, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO REVISE THE DEFINITION OF “PROJECT” TO INCLUDE RECOVERY ZONE PROPERTY AS DEFINED BY FEDERAL LAW; TO AMEND SECTION 12‑6‑530, RELATING TO THE CORPORATE INCOME TAX, SO AS TO REDUCE THE RATE OF THE CORPORATE INCOME TAX FROM FIVE PERCENT ANNUALLY TO ZERO BEGINNING IN 2011 OVER A TEN‑YEAR PERIOD IN INTERVALS OF ONE‑HALF PERCENT PER YEAR; TO AMEND SECTION 12‑6‑3360, AS AMENDED, RELATING TO JOB TAX CREDITS, SO AS TO REVISE THE DESIGNATION TERMINOLOGY FOR COUNTIES COMING WITHIN SPECIFIC CLASSIFICATIONS, TO FURTHER PROVIDE FOR THE CRITERIA FOR DETERMINING HOW COUNTIES FALL WITHIN CERTAIN TIERS, AND TO REVISE SPECIFIC TERMS OR DEFINITIONS USED FOR PURPOSES OF THIS SECTION; TO AMEND SECTION 12‑6‑3375, AS AMENDED, RELATING TO TAX CREDITS FOR PORT CARGO VOLUME INCREASES, SO AS TO REVISE THE MANNER IN WHICH TAX CREDIT ALLOCATIONS ARE DETERMINED AND THE AMOUNT OF THE CREDITS WHICH MAY BE ALLOCATED TO A QUALIFYING TAXPAYER; TO AMEND SECTION 12‑10‑30, AS AMENDED, RELATING TO DEFINITIONS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO REVISE THE DEFINITIONS OF “EMPLOYEE” AND “PROJECT”; TO AMEND SECTION 12‑10‑50, AS AMENDED, RELATING TO QUALIFICATIONS FOR BENEFITS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO REVISE THESE QUALIFICATIONS AND TO FURTHER PROVIDE FOR WHAT A BUSINESS MUST DO TO MEET THESE QUALIFICATIONS; TO AMEND SECTION 12‑10‑60, AS AMENDED, RELATING TO REVITALIZATION AGREEMENTS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO FURTHER PROVIDE FOR THE TERMS, CONDITIONS, AND APPLICATION OF THESE REVITALIZATION AGREEMENTS, PROVIDE FOR WHEN SUCH AN AGREEMENT MUST BE EXECUTED, AND PERMIT THE ASSIGNMENT OF ENTERPRISE PROGRAM BENEFITS UNDER CERTAIN CONDITIONS; TO AMEND SECTION 12‑10‑80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO EXPAND ELIGIBLE EXPENDITURES WHICH QUALIFY FOR THE CREDIT, TO CAP THE AMOUNT OF THE CREDITS PER JOB PER YEAR, TO REVISE CERTAIN TERMINOLOGY TO CONFORM TO EARLIER CHANGES HEREIN, TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN THESE CREDITS MAY BE CLAIMED AND THE MANNER OF THE DETERMINATION OF CERTAIN FACTORS NECESSARY TO QUALIFY FOR THE CREDITS, AND TO PROVIDE FOR THE SUSPENSION OF THE CREDITS UNDER CERTAIN CONDITIONS AND FOR WHEN THE CREDITS MAY BE CLAIMED; TO AMEND SECTION 12‑10‑85, AS AMENDED, RELATING TO THE PURPOSE AND USE OF STATE RURAL INFRASTRUCTURE FUNDS, SO AS TO REVISE THE PURPOSES FOR WHICH THESE FUNDS MAY BE USED AND THEIR AVAILABILITY; TO AMEND SECTION 12‑14‑20, RELATING TO THE PURPOSES OF THE ECONOMIC IMPACT ZONE COMMUNITY DEVELOPMENT ACT OF 1995, SO AS TO REVISE THESE PURPOSES; TO AMEND SECTION 12‑14‑60, AS AMENDED, RELATING TO INVESTMENT TAX CREDITS UNDER THE ECONOMIC IMPACT ZONE COMMUNITY DEVELOPMENT ACT OF 1995, SO AS TO REVISE THE AMOUNT OF THE CREDITS, THE QUALIFYING CRITERIA FOR THE CREDITS, AND FOR THE APPLICABILITY OF CERTAIN PROVISIONS TO THESE CREDITS; TO AMEND SECTION 12‑15‑10, RELATING TO THE CITATION OF THE SOUTH CAROLINA LIFE SCIENCES ACT, SO AS TO CHANGE THE CITATION; TO AMEND SECTION 12‑15‑20, RELATING TO DEFINITIONS UNDER THE RENAMED LIFE SCIENCES AND RENEWABLE ENERGY MANUFACTURING ACT, SO AS TO DEFINE THE TERM “RENEWABLE ENERGY MANUFACTURING FACILITY”; TO AMEND SECTION 12‑15‑30, RELATING TO QUALIFICATIONS OF CERTAIN EXPENSES UNDER THE ENTERPRISE ZONE ACT, PROCEDURES FOR WAIVERS, AND THE DURATION OF THESE PROVISIONS, SO AS TO EXPAND THE TYPES OF FACILITIES THAT QUALIFY AND THE DURATION OF THESE PROVISIONS; TO AMEND SECTION 12‑15‑40, RELATING TO INCOME TAX ALLOCATION AND APPORTIONMENT AGREEMENTS BETWEEN THE DEPARTMENT OF REVENUE AND TAXPAYERS ESTABLISHING A LIFE SCIENCES FACILITY, SO AS TO EXPAND THE TYPES OF FACILITIES TO WHICH THIS PROVISION APPLIES; TO AMEND SECTION 12‑20‑105, AS AMENDED, RELATING TO CREDITS AGAINST ITS CORPORATE LICENSE TAX LIABILITY FOR A COMPANY WHO PAYS CASH FOR INFRASTRUCTURE FOR AN ELIGIBLE PROJECT, SO AS TO FURTHER PROVIDE FOR THE ELIGIBILITY FOR THE CREDIT UNDER CERTAIN CIRCUMSTANCES OR THE CONTINUATION OF THE CREDIT; TO AMEND SECTION 12‑28‑2910, AS AMENDED, RELATING TO THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO AUTHORIZE THE COUNCIL TO EXPEND CERTAIN FUNDS FOR SPECIFIED PURPOSES UNDER SPECIFIED CONDITIONS; TO AMEND SECTION 12‑37‑930, RELATING TO VALUATION OF PROPERTY FOR PROPERTY TAX PURPOSES AND DEPRECIATION ALLOWANCES FOR MANUFACTURERS, MACHINERY, AND EQUIPMENT, SO AS TO INCLUDE MACHINERY AND EQUIPMENT OF A RENEWABLE ENERGY MANUFACTURING FACILITY WITHIN THE DEPRECIATION ALLOWANCES ALLOWED FOR MACHINERY AND EQUIPMENT OF A LIFE SCIENCES FACILITY, AND TO DEFINE WHAT IS A QUALIFYING FACILITY; TO AMEND SECTION 12‑43‑220, AS AMENDED, RELATING TO CLASSIFICATION OF REAL PROPERTY FOR AD VALOREM TAX PURPOSES, SO AS TO PROVIDE THAT REAL PROPERTY OWNED BY OR LEASED TO A MANUFACTURER AND USED PRIMARILY RATHER THAN EXCLUSIVELY FOR WAREHOUSING AND WHOLESALE DISTRIBUTION IS NOT CONSIDERED USED BY THE MANUFACTURER IN THE CONDUCT OF ITS BUSINESS FOR PROPERTY TAX CLASSIFICATION PURPOSES; TO AMEND SECTION 12‑44‑30, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO REVISE CERTAIN DEFINITIONS AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 12‑44‑40, AS AMENDED, RELATING TO THE REQUIRED FEE AGREEMENT BETWEEN THE SPONSOR AND THE COUNTY UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO PROVIDE THE TIME WITHIN WHICH A SPONSOR HAS TO ENTER INTO A FEE AGREEMENT IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY; TO AMEND SECTION 12‑44‑50, AS AMENDED, RELATING TO THE REQUIREMENT OF A FEE AGREEMENT UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO DELETE A PROVISION THAT REQUIRES THE FAIR MARKET VALUE OF THE PROPERTY ESTABLISHED FOR THE FIRST YEAR OF THE FEE TO REMAIN THE FAIR MARKET VALUE OF THE PROPERTY FOR THE LIFE OF THE FEE; TO AMEND SECTION 12‑44‑130, AS AMENDED, RELATING TO MINIMUM INVESTMENTS TO QUALIFY FOR A FEE AND OTHER REQUIREMENTS, SO AS TO CORRECT A REFERENCE; AND TO REPEAL SECTION 12‑6‑3450 RELATING TO AN INCOME TAX CREDIT FOR PERSONS TERMINATED FROM EMPLOYMENT AS A RESULT OF THE CLOSING OR REALIGNMENT OF A FEDERAL MILITARY INSTALLATION, SECTION 12‑10‑88 RELATING TO REDEVELOPMENT FEES IN REGARD TO CLOSED OR REALIGNED MILITARY INSTALLATIONS, SECTIONS 12‑14‑30, 12‑14‑40, 12‑14‑50, AND 12‑14‑70 RELATING TO ECONOMIC IMPACT ZONES AND ALLOWABLE DEDUCTIONS AGAINST SOUTH CAROLINA TAXABLE INCOME IN REGARD TO THESE ECONOMIC IMPACT ZONES.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., April 13, 2010

Mr. President and Senators:

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

(R170, H4728) -- Reps. Norman, Simrill and Delleney: AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF FORT MILL SCHOOL DISTRICT NO. 4 OF YORK COUNTY TO ISSUE GENERAL OBLIGATION BONDS OF THE DISTRICT UP TO ITS CONSTITUTIONAL DEBT LIMIT IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS TO DEFRAY THE LOSS OF EDUCATION FINANCE ACT FUNDS TO THE DISTRICT, TO PRESCRIBE THE CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED AND THE PURPOSES FOR WHICH THE PROCEEDS MAY BE EXPENDED, AND TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS.

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., April 13, 2010

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification:

S. 454 -- Senators Peeler and Ford: A BILL TO AMEND CHAPTER 56, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE BOARD OF PYROTECHNIC REGULATIONS, SO AS TO REVISE THE CHAPTER TITLE, TO PROVIDE STATE POLICY CONCERNING PYROTECHNICS, TO INCREASE THE STATE BOARD OF PYROTECHNIC SAFETY FROM SIX TO SEVEN MEMBERS, TO DEFINE TERMS, TO REQUIRE LICENSURE FOR THE MANUFACTURING, SALE, OR STORAGE OF FIREWORKS, TO AUTHORIZE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, FIRE CHIEFS, AND LAW ENFORCEMENT OFFICERS TO INVESTIGATE COMPLAINTS, TO PROVIDE GROUNDS FOR DISCIPLINARY ACTION, TO REQUIRE LIABILITY INSURANCE, TO REQUIRE REPORTING OF FIRES AND EXPLOSIONS, TO PROVIDE CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS, AND TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF PERSONS HANDLING FIREWORKS.

Very respectfully,

Speaker of the House

Received as information.

**HOUSE CONCURRENCES**

S. 1341 -- Senator Courson: A CONCURRENT RESOLUTION RECOGNIZING THE DILIGENT EFFORTS OF HOME SCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, EXPRESSING SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL-BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN, AND DECLARING APRIL 2010 AS HOME SCHOOL RECOGNITION MONTH.

Returned with concurrence.

Received as information.

S. 1342 -- Senators Courson, Jackson, Lourie and Scott: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROBERT D. COBLE, UPON THE OCCASION OF HIS RETIREMENT, AFTER TWENTY YEARS OF FAITHFUL SERVICE AS MAYOR OF THE CITY OF COLUMBIA, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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

**THIRD READING BILLS**

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

S. 836 -- Senator Cromer: A BILL TO AMEND SECTION 51‑13‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RULES AND REGULATIONS OF THE RIVERBANKS PARKS COMMISSION, SO AS TO PROHIBIT CERTAIN ACTIVITIES WHILE ON PARK PROPERTY.

S. 912 -- Senator Land: A BILL TO AMEND SECTION 17‑22‑950 OF THE 1976 CODE, AS ADDED BY ACT 36 OF 2009, RELATING TO PROCEDURES FOR EXPUNGEMENT OF CRIMINAL CHARGES WHICH HAVE BEEN BROUGHT IN SUMMARY COURT, TO REMOVE THE REQUIREMENT THAT THE COMPLETED EXPUNGEMENT ORDER BE FILED WITH THE CLERK OF COURT.

S. 1184 -- Senators Malloy, McConnell, Ford, Pinckney and Campsen: A BILL TO AMEND SECTION 63‑7‑430 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAKING OF FALSE REPORTS OF ABUSE AND NEGLECT, SO AS TO PROVIDE THAT ON A SECOND OR SUBSEQUENT FALSE REPORT MADE WITH BAD FAITH, IF A CIVIL LAWSUIT IS FILED, THE COURT MAY AWARD APPROPRIATE RELIEF AS PERMITTED BY STATE LAW AND THE SOUTH CAROLINA RULES OF COURT; AND TO AMEND CHAPTER 7 OF TITLE 63 OF THE 1976 CODE, SO AS TO ADD SECTION 63‑7‑435, TO PROVIDE THAT IF THE DEPARTMENT DETERMINES THAT AN ALLEGATION OF ABUSE AND NEGLECT IS UNFOUNDED, THE PERSON WRONGFULLY ALLEGED TO HAVE PERPETRATED THE ABUSE OR NEGLECT MAY PETITION THE COURT TO RELEASE THE IDENTITY OF THE MAKER OF THE WRONGFUL COMPLAINT, TO PROVIDE THAT NO PETITION MAY BE FILED AGAINST ANYONE WHO IS REQUIRED TO REPORT ABUSE AND NEGLECT PURSUANT TO SECTION 63‑7‑310, AND TO PROVIDE THAT THE COURT SHALL ORDER THE RELEASE OF THE NAME OF THE MAKER OF THE WRONGFUL ALLEGATION, IF THE REPORT WAS MADE MALICIOUSLY OR IN BAD FAITH.

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.

S. 1328 -- Senators Peeler and Land: A BILL TO AMEND SECTION 56‑3‑2330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER LICENSE PLATES FOR MOTOR VEHICLES, SO AS TO INCREASE FROM FOUR TO FIVE HUNDRED THE NUMBER OF THESE PLATES THAT MAY BE ISSUED TO A MANUFACTURER AND TO INCREASE FROM TEN TO TWENTY DAYS THE MAXIMUM NUMBER OF CONSECUTIVE DAYS THAT VEHICLES WITH THESE PLATES MAY BE USED IN CONNECTION WITH CIVIC AND SPORTING EVENTS.

**SECOND READING BILL**

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

S. 1330 -- Senators Peeler and Land: A JOINT RESOLUTION TO PROVIDE THAT IN 2011 AND 2012, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN SUCH MANUFACTURER’S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SIX HUNDRED NINETY‑NINE DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

Senator PEELER explained the Joint Resolution.

**PREVIOUSLY PROPOSED AMENDMENT WITHDRAWN**

**READ THE SECOND TIME**

S. 1065 -- Senators Hayes, Malloy, Lourie, Thomas, Sheheen, Fair and Anderson: A BILL TO AMEND SECTION 37‑3‑501, AS AMENDED, OF THE 1976 CODE, RELATING TO THE DEFINITION OF SUPERVISED LOAN, TO PROVIDE THAT CERTAIN CLOSED‑END CREDIT TRANSACTIONS ARE NOT SUPERVISED LOANS; AND TO AMEND SECTION 37‑3‑503, RELATING TO A LICENSE TO MAKE SUPERVISED LOANS, TO PROVIDE THAT CERTAIN LICENSED DEFERRED PRESENTMENT PROVIDERS MAY NOT CONDUCT THE BUSINESS OF MAKING SUPERVISED LOANS, TO PROVIDE PENALTIES, AND TO PROVIDE NECESSARY DEFINITIONS.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment.

Senators MALLOY and COURSON proposed the following amendment (1065R008.GM), which was withdrawn:

Amend the bill, as and if amended, page 2 by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_\_. A. SECTION 1. The 1976 Code is amended by adding:

“Section 16‑13‑480. (A) For purposes of this section:

(1) ‘Deferred presentment services’ means a transaction pursuant to an agreement involving the following combination of activities in exchange for a fee:

(a) accepting a check dated on the date it was written; and

(b) holding the check for a period of time before presentment for payment or deposit.

(2) ‘Person’ means an individual, group of individuals, partnerships, association, corporation, or other business unit or legal entity, and includes a person who was previously licensed by this State to engage in the business of deferred presentment services pursuant to Chapter 39 of Title 34.

(B) It is unlawful for a person to engage in the business of deferred presentment services in this State.

(C) A person who violates this section is guilty of a felony and, upon conviction, must be fined the mandatory minimum amount of ten thousand dollars and imprisoned not less than a mandatory minimum of five years nor more than ten years, no part of which may be suspended nor probation granted.”

B. Chapter 39, Title 34 of the 1976 Code is repealed. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator MALLOY asked unanimous consent to withdraw the previously proposed amendment.

There was no objection and the amendment as printed above was withdrawn.

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

**OBJECTION**

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

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

Senator LARRY MARTIN explained the committee amendment.

Senator MASSEY spoke on the committee amendment.

Senator PEELER objected to further consideration of the Bill.

**ADOPTED**

S. 1343 -- Senators Malloy, Knotts, Campsen and McConnell: A CONCURRENT RESOLUTION TO PROVIDE THAT THE STATE OF SOUTH CAROLINA OPPOSES THE FEDERAL MANDATE THAT A STATE ENACT A LAW TO REQUIRE THE REVOCATION, SUSPENSION, ISSUANCE, OR REINSTATEMENT DELAY FOR ALL PERSONS WHO ARE CONVICTED OF CONTROLLED SUBSTANCE OFFENSES; AND TO PROVIDE THAT THE STATE OF SOUTH CAROLINA SHALL OPT OUT OF THE FEDERAL MANDATE WITHOUT THE LOSS OF FEDERAL TRANSPORTATION FUNDS.

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

S. 1344 -- Senators Alexander, Rankin, Hutto, McConnell and Knotts: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 19, 2010, AS THE TIME TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE SECOND DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE FOURTH DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE SIXTH DISTRICT, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2014; TO ELECT A SUCCESSOR TO THE AT‑LARGE SEAT ON A BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY, WHOSE TERM EXPIRES IN 2012; AND TO ELECT A SUCCESSOR TO THE SECOND DISTRICT, SEAT 3, ON THE BOARD OF TRUSTEES OF FRANCIS MARION UNIVERSITY, WHOSE TERM EXPIRES IN 2014.

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

**CARRIED OVER**

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

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

S. 1025 -- Senator Cromer: A BILL TO AMEND SECTION 38‑73‑737 OF THE 1976 CODE, RELATING TO DRIVER TRAINING COURSE CREDIT TOWARD LIABILITY AND COLLISION INSURANCE COVERAGE, TO REDUCE THE INITIAL COURSE FROM EIGHT TO SIX HOURS, TO ALLOW FOR A FOUR HOUR REFRESHER COURSE EVERY THREE YEARS, AND TO ALLOW THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS FOR FIFTY‑FIVE YEARS AND OLDER DRIVER SAFETY INTERNET COURSES.

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

H. 4607 -- Reps. Sandifer, Huggins, Ott, Hutto, Howard, Anderson, Gambrell, Rice, Hayes, Erickson, Bedingfield, Lowe, Brady, G.A. Brown, Pinson, Bowers, Toole, Crawford, Bales, Mack, Allison, Parker, Mitchell, Long, Viers, Sellers, Sottile, Forrester, Horne, Clemmons, Simrill and Cole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37‑2‑308 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE PROCEDURES THAT MUST BE FOLLOWED BY MOTOR VEHICLE DEALERS IN ADVERTISEMENTS MADE IN THE COURSE OF SOLICITING FOR THE SALE OR LEASE OF MOTOR VEHICLES; AND TO AMEND SECTION 37‑6‑108, AS AMENDED, RELATING TO ADMINISTRATIVE ENFORCEMENT ORDERS, SO AS TO PROVIDE PENALTIES FOR MOTOR VEHICLE DEALERS WHO VIOLATE THE PROVISIONS OF SECTION 37‑2‑308.

Senator LARRY MARTIN explained the Bill.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 1185 -- Senators Malloy, Ford, Pinckney, McConnell, Rose and Campsen: A BILL TO AMEND TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 8 ENTITLED THE “SOUTH CAROLINA FAMILY LAW MEDIATION ACT”, SO AS TO MANDATE MEDIATION IN ALL DOMESTIC RELATIONS ACTIONS IN FAMILY COURT; TO PROVIDE FOR DEFINITIONS OF MEDIATION AND MEDIATOR; TO PROVIDE FOR AUTOMATIC EXCEPTIONS WHERE MEDIATION IS NOT REQUIRED; TO INCLUDE CONTEMPT ACTIONS, CHILD ABUSE AND NEGLECT PROCEEDINGS, DEPARTMENT OF SOCIAL SERVICES ADULT PROTECTIVE SERVICES CASES, CASES WHERE THERE HAS BEEN A FINDING OF ABUSE OR NEGLECT, JUVENILE PROCEEDINGS, UNCONTESTED ISSUES, ACTIONS WHERE PARTIES AGREE TO VOLUNTARY MEDIATION, AND THE ENTRY OF DIVORCE OR SEPARATE MAINTENANCE DECREES; TO PROVIDE CIRCUMSTANCES WHERE MEDIATION MAY BE WAIVED BY THE FAMILY COURT; TO INCLUDE GEOGRAPHIC CONSIDERATIONS, INCAPACITY OF ONE OR MORE PARTIES, INCOMPETENCE OF ONE OR MORE PARTIES, CASES WHERE INVOLVING ABUSE OR NEGLECT OCCURRING MORE THAN ONE YEAR FROM THE HEARING, CASES INVOLVING SUBSTANCE ABUSE BY ONE OR MORE PARTIES; TO PROVIDE THAT MEDIATION MUST OCCUR BETWEEN NINETY AND ONE HUNDRED AND EIGHTY DAYS AFTER THE FILING OF THE ACTION; AND TO PROVIDE THAT NO FINAL HEARING IN A DOMESTIC RELATIONS ACTION SHALL BE SCHEDULED UNTIL MEDIATION IS COMPLETED IN THE MATTER, UNLESS IT IS EXEMPTED OR EXCEPTED FROM MEDIATION.

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

The Committee on Judiciary proposed the following amendment (JUD1185.002), which was adopted:

Amend the bill, as and if amended, by striking Section 20-8-40, beginning on page 2, line 38, and inserting therein the following:

/ Section 20‑8‑40. (A) All issues in domestic relations actions are subject to court ordered mediation, except where exempted. The following cases must be automatically exempted from mediation:

(1) contempt actions;

(2) family court cases initiated by the South Carolina Department of Social Services;

(3) any case where a party has been convicted of, pled guilty to, or pled nolo contendere to a charge of spousal abuse of another party, or child abuse or neglect of a child of either party;

(4) any case where there has been a finding, including a current order of protection, by a court of competent jurisdiction within one year of the date of filing the action of spousal abuse of another party or child abuse or neglect of a child of either party;

(5) juvenile proceedings;

(6) uncontested issues;

(7) actions where there is an agreement between the parties for voluntary mediation, subject to court approval; or

(8) the entry of a divorce or separate maintenance decree.

Certification that an action is exempt from court ordered mediation shall be on a form approved by the Supreme Court.

(B) A party or the court may move to dispense with or defer mediation due to exceptional circumstances. Upon a showing of exceptional circumstances and after a hearing, the Chief Judge for Administrative Purpose of the Family Court may grant the motion and notify the parties or their attorneys of the ruling. Exceptional circumstances may relate to such factors as, but are not limited to:

(1) geographic considerations;

(2) incapacity of a party;

(3) incompetence of a party;

(4) cases where there has been a finding by a court of competent jurisdiction more than one year from the date of filing the action of spousal abuse of a party or child abuse or neglect of a child of either party, except as provided for in Section 20-8-40(A)(3) and (4);

(5) substance abuse by one of the parties; or

(6) cases where there has been:

(a) an arrest of one of the parties for spousal abuse of another party or child abuse or neglect of a child of either party; or

(b) an order of protection that has expired or been dismissed pursuant to Section 20-4-70, a restraining order, or other injunctive relief issued against a party where the underlying basis for the order was based on spousal abuse of a party or child abuse or neglect of a child of either party; or

(c) a documented report to a domestic violence shelter by a party alleging spousal abuse of a party or child abuse or neglect of a child of either party; and

(d) a finding by the family court that, in its discretion, exceptional circumstances justify the party’s request to dispense with mediation.

(C) For purposes of this section, the terms ‘spousal abuse’ and ‘child abuse or neglect’ include, but are not limited to, criminal domestic violence, stalking, harassment, criminal sexual conduct, and child abuse and neglect.

(D) The court must order that the mediation conference or conferences shall be conducted no sooner than ninety days after the filing of the action, unless, in the court’s discretion, the mediation conference should commence at an earlier date, and concluded no later than one hundred eighty days after the filing of the action. A party may seek an extension of time to complete mediation, and the court, in its discretion, may extend the time to complete mediation in a written order.

(E) The South Carolina Supreme Court shall establish the minimum number of hours that parties must participate in mediation.

(F) No final hearing in any domestic relations action shall be scheduled or heard prior to the completion of mediation, unless the matter is exempt from mediation by operation of this chapter or by order of the Chief Judge for Administrative Purpose of the Family Court upon a showing of exceptional circumstances. A request for a final hearing must be accompanied by a copy of the written mediation report.

(G) In cases exempt from court ordered mediation pursuant to this section, the Chief Judge for Administrative Purposes of the Family Court may, upon the motion of the court or of any party, order a case to mediation. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

The committee amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 1188 -- Senators Malloy, McConnell, Ford, Pinckney, Rose and Campsen: A BILL TO AMEND TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CHILDREN’S CODE, BY ADDING CHAPTER 6 ENTITLED THE “SOUTH CAROLINA FAMILY COURT HEARING OFFICER ACT”, SO AS TO PROVIDE FOR VOLUNTEER FAMILY COURT HEARING OFFICERS APPOINTED BY THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT AND WHO ARE PROTECTED PURSUANT TO THE SOUTH CAROLINA TORT CLAIMS ACT; TO PROVIDE THAT HEARING OFFICERS MUST BE MEMBERS OF THE SOUTH CAROLINA BAR IN GOOD STANDING WITH A MINIMUM OF TEN YEARS OF FAMILY COURT EXPERIENCE; TO PROVIDE THAT RETIRED JUDGES, EXCEPT SUMMARY COURT JUDGES, MAY BE APPOINTED AS HEARING OFFICERS ABSENT TEN YEARS OF EXPERIENCE IN FAMILY COURT MATTERS, TO REQUIRE HEARING OFFICERS TO RECEIVE AT LEAST SIX HOURS OF FAMILY LAW CONTINUING LEGAL EDUCATION EVERY YEAR; TO PROVIDE THAT HEARING OFFICERS MAY BE ASSIGNED TO ALL UNCONTESTED DOMESTIC RELATIONS MATTERS, THAT THEY MAY MAKE FINDINGS AND RECOMMENDATIONS FOR THE FAMILY COURT JUDGE ON UNIFORM INTERSTATE FAMILY SUPPORT ACT ACTIONS, THAT THEY MAY BE ASSIGNED MOTION HEARINGS FOR TEMPORARY RELIEF IN DOMESTIC RELATIONS MATTERS, WITH THE CONSENT OF THE PARTIES, AND MAY MAKE RECOMMENDATIONS OF FINDINGS OF FACT AND CONCLUSIONS OF LAW TO THE FAMILY COURT JUDGES, THAT THE CHIEF JUSTICE MUST ISSUE DIRECTIVES CONCERNING OTHER TYPES OF CASES THAT MAY BE ASSIGNED ONLY TO RETIRED JUDGE HEARING OFFICERS, TO PROVIDE A LIST OF TYPES OF CASES THAT MAY BE ASSIGNED, THAT THE CLERK OF COURT SHALL MAINTAIN A FAMILY COURT HEARING OFFICER DOCKET, THAT HEARING OFFICERS SHALL HAVE THE SAME AUTHORITY AS A FAMILY COURT JUDGE TO ADMINISTER OATHS, PRESERVE AND ENFORCE ORDER IN THE COURT, HOLD PERSONS IN CONTEMPT AND SANCTION THEM, EXAMINE WITNESSES, ISSUE BENCH WARRANTS, ISSUE ORDERS AND RULINGS ON MOTIONS, ACT AS A FINDER OF FACT AND LAW, TAKE MINORS AND VULNERABLE ADULTS INTO EMERGENCY PROTECTIVE CUSTODY, TO ISSUE TEMPORARY ORDERS RELATING TO EQUITABLE DIVISION OF MARITAL PROPERTY, CHILD SUPPORT, CUSTODY, VISITATION, ATTORNEY’S FEES, DISCOVERY, AND RESTRAINING ORDERS, AND TO APPOINT GUARDIANS AD LITEM AS APPROPRIATE; TO PROVIDE THAT MATTERS DIRECTLY APPEALABLE TO THE SUPREME COURT ARE NOT SUBJECT TO REFERRAL TO A HEARING OFFICER, TO PROVIDE THAT PROCEEDINGS SHALL BE HELD IN THE COUNTY OF APPROPRIATE VENUE UNLESS THE PARTIES CONSENT TO ANOTHER COUNTY; TO PROVIDE THAT ORDERS ISSUED BY RETIRED JUDGE HEARING OFFICERS SHALL BE CONSIDERED FINAL AND SHALL BE APPEALED DIRECTLY TO THE COURT OF APPEALS; TO PROVIDE THAT ORDERS ISSUED BY OTHER HEARING OFFICERS ARE SUBJECT TO REVIEW BY A FAMILY COURT JUDGE; TO PROVIDE THAT HEARING OFFICERS ARE NOT BARRED FROM THE PRACTICE OF LAW IN FAMILY COURT; TO PROVIDE THAT THE FAMILY COURT RULES APPLY IN PROCEEDINGS BEFORE HEARING OFFICERS; AND TO PROVIDE THAT HEARING OFFICERS SHALL RECEIVE CREDIT FOR COURT APPOINTMENTS.

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

The Committee on Judiciary proposed the following amendment (JUD1188.001), which was adopted:

Amend the bill, as and if amended, page 3, in Section 20-6-30, as contained in SECTION 1, by striking lines 14 through 24 in their entirety and inserting therein the following:

/ Section 20-6-30. Any person appointed to serve as a hearing officer must be a member of the South Carolina Bar in good standing with a minimum of ten years’ experience in family court matters. Pursuant to the provisions of Section 2‑19‑100, retired judges, not including probate judges, magistrates, municipal court judges, recorders, or any other summary court judges, may be appointed as hearing officers without having a minimum of ten years of experience in family court matters. Hearing officers must annually receive a minimum of six hours of continuing legal education on family court issues and shall be subject to additional standards as the South Carolina Supreme Court deems appropriate./

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

The committee amendment was adopted.

On motion of Senator SETZLER, the Bill was carried over, as amended.

**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 REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**Message from the House**

Columbia, S.C., April 13, 2010

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference 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.

Very respectfully,

Speaker of the House

Received as information.

**H. 3395--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

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.

On motion of Senator LEATHERMAN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator LEATHERMAN spoke on the report.

Senator LEATHERMAN moved that the Report of the Committee of Conference be adopted:

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Ford

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Mulvaney Nicholson O’Dell

Peeler Pinckney Rankin

Reese Ryberg Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

**Statement by Senator ROSE**

Had I been present in the Chamber at the time the vote was taken, I would have voted in favor of the adoption of the Report of the Committee of Conference on H. 3395.

The Report of the Committee of Conference on H. 3395 was adopted as follows:

**H. 3395--Conference Report**

The General Assembly, Columbia, S.C., April 8, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. A. Section 11‑11‑310 of the 1976 Code is amended to read:

“Section 11‑11‑310. (A) The State Budget and Control Board shall provide for a General Reserve Fund. Funds accumulating in excess of the annual operating expenditures must be transferred to the General Reserve Fund and the transfer must continue to be made in succeeding fiscal years until the accumulated total in this reserve reaches an amount equal to ~~three percent~~ the applicable percentage amount of the general fund revenue of the latest completed fiscal year.

(B) If there is a year‑end operating deficit, so much of the General Reserve Fund as is necessary must be used to cover the deficit. The amount so applied must be restored to the General Reserve Fund out of future revenues as provided in Section 36 of Article III of the Constitution of this State and out of funds accumulating in excess of annual operating expenditures as provided in this section until the ~~three percent maximum~~ the applicable percentage amount is ~~again~~ reached and actually maintained.

(C) In the event of a year‑end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit, and the amount must be restored to the reserve fund within five fiscal years out of future revenues until the applicable percentage amount required to be transferred to the General Reserve Fund, is reached and maintained. Provided, that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.

(D) For purposes of this section ‘applicable percentage amount’ means five percent of general fund revenue of the latest completed fiscal year. The five percent requirement shall be reached by adding a cumulative one‑half of one percent of such revenue in each fiscal year succeeding the last fiscal year to which the three percent limit applied until the percentage of such revenue equals five percent which then and thereafter shall apply.”

B. This section takes effect upon ratification of an amendment to Section 36, Article III of the Constitution of this State authorizing its terms submitted to the electors of this State at the general election of 2010 and first applies for the state fiscal year beginning after that date.

SECTION 2. A. Section 11‑11‑320(C) of the 1976 Code is amended to read:

“(C) Revenues in the Capital Reserve Fund only may be used in the following manner:

(1) ~~If, before March first, the Board of Economic Advisors’ revenue forecast to the State Budget and Control Board for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriations for that year, then the current year’s appropriation to the Capital Reserve Fund first must be reduced by the Board to the extent necessary before mandating any reductions in operating appropriations.~~ In any fiscal year in which the General Reserve Fund does not maintain the percentage amount required by Section 11‑11‑310, 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. The Capital Reserve Fund’s replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in Section 36(A) of Article III of the Constitution of this State. After the General Reserve Fund is fully restored to the requisite percentage, the monies in the Capital Reserve Fund may be appropriated pursuant to item (2) of this subsection. The Capital Reserve Fund may not be used to offset a mid‑year budget reduction.

(2) ~~After March first of a fiscal year,~~ Subsequent to appropriations required by item (1), monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two‑thirds of the members present and voting but not less than three‑fifths of the total membership in each branch for the following purposes:

(a) to finance in cash previously authorized capital improvement bond projects;

(b) to retire interest or principal on bonds previously issued;

(c) for capital improvements or other nonrecurring purposes.”

B. Section 11‑11‑325 of the 1976 Code is repealed.

C. This section takes effect upon ratification of an amendment to Section 36, Article III of the Constitution of this State authorizing its terms submitted to the electors of this State at the 2010 general election and first applies for the state fiscal year beginning after that date.

SECTION 3. Section 11‑9‑890 B of the 1976 Code is amended to read:

“B. If at the end of the first, ~~or~~ second, or third quarter of any fiscal year quarterly revenue collections are ~~four~~ two percent or more below the amount projected for that quarter by the Board of Economic Advisors, the Budget and Control Board, within ~~fifteen~~ seven days of that determination, shall take action to avoid a year‑end deficit. Notwithstanding Section 1‑11‑495, if the Budget and Control Board does not take unanimous action within seven days, the Director of the Office of State Budget must reduce general fund appropriations by the requisite amount in the manner prescribed by law. Upon making the reduction, the Director of the Office of State Budget immediately must notify the State Treasurer and the Comptroller General of the reduction, and upon notification, the appropriations are considered reduced. No agencies, departments, institutions, activity, program, item, special appropriation, or allocation for which the General Assembly has provided funding in any part of this section may be discontinued, deleted, or deferred by the Director of the Office of State Budget. A reduction of rate of expenditure by the Director of the Office of State Budget, under authority of this section, must be applied as uniformly as shall be practicable, except that no reduction must be applied to funds encumbered by a written contract with the agency, department, or institution not connected with state government.”

SECTION 4. Section 1‑11‑495(A) and (B) of the 1976 Code is to read:

“(A) The State Budget and Control Board is directed to survey the progress of the collection of revenue and the expenditure of funds by all agencies, departments, and institutions. If the board determines that a year‑end aggregate deficit may occur by virtue of a projected shortfall in anticipated revenues, it shall utilize those funds as may be available and required to be used to avoid a year‑end deficit and after that take action as necessary to restrict the rate of expenditure of all agencies, departments, and institutions consistent with the provisions of this section. No agencies, departments, institutions, activity, program, item, special appropriation, or allocation for which the General Assembly has provided funding in any part of this section may be discontinued, deleted, or deferred by the board. A reduction of rate of expenditure by the board, under authority of this section, must be applied as uniformly as may be practicable, except that no reduction must be applied to funds encumbered by a written contract with the agency, department, or institution not connected with state government. This reduction ~~must not be ordered by the board while the General Assembly is in session without first reporting such necessity to the General Assembly and the General Assembly takes no action to prevent the reduction within five statewide session days of formal written notification~~ is subject to any bill or resolution enacted by the General Assembly.

(B) As far as practicable, all agencies, departments, and institutions of the State are directed to budget and allocate appropriations as a quarterly allocation, so as to provide for operation on uniform standards throughout the fiscal year and in order to avoid an operating deficit for the fiscal year. It is recognized that academic year calendars of state institutions affect the uniformity of the receipt and distribution of funds during the years. The Comptroller General or the Office of State Budget shall make reports to the board as they consider advisable on an agency, department, or institution that is expending authorized appropriations at a rate which predicts or projects a general fund deficit for the agency, department, or institution. The board is directed to require the agency, department, or institution to file a quarterly allocations plan and is further authorized to restrict the rate of expenditures of the agency, department, or institution if the board determines that a deficit may occur. It is the responsibility of the agency, department, or institution to develop a plan, in consultation with the board, which eliminates or reduces a deficit. If the board makes a finding that the cause of, or likelihood of, a deficit is unavoidable due to factors which are outside the control of the agency, department, or institution, then the board may determine that the recognition of the agency, department, or institution is appropriate and shall notify the General Assembly of this action or the presiding officer of the House and Senate if the General Assembly is not in session. The board may only recognize a deficit by a vote of at least four members of the board.”

SECTION 5. Except where otherwise stated, this act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Hugh K. Leatherman, Sr. /s/Rep. Daniel T. Cooper

Sen. John C. Land III /s/Rep. James A. Battle, Jr.

/s/Sen. Glenn F. McConnell /s/Rep. Kenneth A. Bingham

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**H. 3395--SENATE ENROLLED FOR RATIFICATION**

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.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., April 13, 2010

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference 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.

Very respectfully,

Speaker of the House

Received as information.

**H. 3396--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

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.

On motion of Senator LEATHERMAN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator LEATHERMAN spoke on the report.

Senator LEATHERMAN moved that the Report of the Committee of Conference be adopted:

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

**Ayes 42; Nays 0**

**AYES**

Alexander Anderson Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Ford

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Mulvaney Nicholson O’Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Verdin Williams

**Total--42**

**NAYS**

**Total--0**

The Report of the Committee of Conference on H. 3396 was adopted as follows:

**H. 3396--Conference Report**

The General Assembly, Columbia, S.C., April 1, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. It is proposed that Section 36(A), Article III of the Constitution of this State be amended to read:

“(A) The General Assembly shall provide for a General Reserve Fund of ~~three~~ five percent of the general fund revenue of the latest completed fiscal year. The five percent requirement shall be achieved by increasing the percentage requirement by a cumulative one-half of one percent of general fund revenue in each fiscal year succeeding the last fiscal year to which the three percent requirement applied until the percentage of revenue in the General Reserve Fund equals the five percent requirement, which shall thereafter be maintained. Funds may be withdrawn from the reserve only for the purpose of covering operating deficits of state government. The General Assembly must provide for the orderly restoration of funds withdrawn from the reserve from future revenues and out of funds accumulating in excess of annual operating expenditures.

(1) The General Assembly shall provide by law for a procedure to survey the progress of the collection of revenue and the expenditure of funds and to authorize and direct reduction of appropriations as may be necessary to prevent a deficit.

(2) In the event of a year‑end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit; and the amount must be restored to the reserve fund within ~~three~~ five fiscal years out of future revenues until the ~~three~~ five percent, or the applicable percentage amount required to be transferred to the General Reserve Fund, is again reached and maintained. Provided that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the ~~three~~ five percent, or the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 36(A), Article III of the Constitution of this State be amended so as to increase from three to five percent in increments of one-half of one percent over four fiscal years the amount of state general fund revenue in the latest completed fiscal year required to be held in the General Reserve Fund?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

SECTION 3. It is proposed that Section 36(B), Article III of the Constitution of this State be amended to read:

“(B) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to two percent of the general fund revenue of the latest completed fiscal year.

(1) ~~The General Assembly must provide by law that if before March first the revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriation for that year, then the current year’s appropriation to the Capital Reserve Fund first must be reduced to the extent necessary before mandating any reductions in operating appropriations~~ In any fiscal year in which the General Reserve Fund does not maintain the required percentage of general fund revenue, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the General Reserve Fund. The Capital Reserve Fund’s replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in subsection (A)(2) of this section. After the General Reserve Fund is fully replenished to the required percentage, the monies in the Capital Reserve Fund may be appropriated, except that the Capital Reserve Fund must not be used to offset a midyear budget reduction.

(2) ~~After March first of a fiscal year,~~ Subsequent to appropriations required by item (1) of this subsection, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting, but not less than three fifths of the total membership in each branch for the following purposes:

(a) to finance in cash previously authorized capital improvement bond projects;

(b) to retire interest or principal on bonds previously issued;

(c) for capital improvements or other nonrecurring purposes.

(3)(a) Any appropriation of monies from the Capital Reserve Fund as provided in this subsection must be ranked in priority of expenditure and is effective thirty days after completion of the fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied to the yearend operating deficit before withdrawing monies from the General Reserve Fund.

(b) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in this subsection or any appropriation for a particular project or item which has been reduced due to application of the monies to a year end deficit must lapse and be credited to the general fund.”

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 36(B), Article III of the Constitution of this State be amended so as to provide that monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the applicable percentage amount in the General Reserve Fund?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.” /

Amend title to conform.

/s/Sen. Hugh K. Leatherman, Sr. /s/Rep. Daniel T. Cooper

Sen. John C. Land III /s/Rep. James A. Battle, Jr.

/s/Sen. Glenn F. McConnell /s/Rep. Kenneth A. Bingham

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**H. 3396--SENATE ENROLLED FOR RATIFICATION**

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.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**Status Report by Senator LEATHERMAN**

Senator LEATHERMAN, Chairman of the Committee on Finance, was recognized to present a status report on H. 4657, the General Appropriations Bill.

**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

**MESSAGE FROM THE GOVERNOR**

State of South Carolina

Office of the Governor

P. O. Box 11369

Columbia, SC 29211

March 31, 2010

The Honorable André Bauer

President of the Senate

State House, First Floor, East Wing

Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am vetoing and returning without my approval S. 19, R. 137, which significantly expands the jurisdiction of police officers who work for private colleges and universities.

(R137, S19) -- Senator Fair: AN ACT 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 PROVIDE THAT THESE PROVISIONS APPLY TO PRIVATE INSTITUTIONS, TO MAKE TECHNICAL CHANGES, TO REVISE THE JURISDICTIONAL BOUNDARY OF A CAMPUS 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; TO AMEND SECTION 59‑116‑50, RELATING TO THE RANKS AND GRADES OF CAMPUS POLICE OFFICERS, SO AS TO DELETE THE TERM “PUBLIC SAFETY DIRECTOR” AND REPLACE IT WITH THE TERM “CHIEF LAW ENFORCEMENT EXECUTIVE”, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THIS PROVISION APPLIES TO PRIVATE INSTITUTIONS; TO AMEND SECTION 59‑116‑60, RELATING TO CAMPUS POLICE VEHICLES AND RADIO SYSTEMS, SO AS TO SUBSTITUTE THE TERM “CAMPUS POLICE DEPARTMENT” FOR THE TERM “SAFETY AND SECURITY DEPARTMENT”; TO AMEND SECTION 59‑116‑80, RELATING TO IMPERSONATING A CAMPUS POLICE OFFICER, SO AS TO SUBSTITUTE THE TERM “CAMPUS SECURITY DEPARTMENT” FOR THE TERM “SAFETY AND SECURITY DEPARTMENT”; TO PROVIDE THAT THIS PROVISION APPLIES TO A PRIVATE COLLEGE OR UNIVERSITY, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 59‑116‑100, RELATING TO THE PROCESSING OF A PERSON ARRESTED BY A CAMPUS POLICE OFFICER, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO THE ARREST OF A PERSON BY A CAMPUS SECURITY OFFICER; TO AMEND SECTION 59‑116‑120, RELATING TO COLLEGES AND UNIVERSITIES EMPLOYING SECURITY PERSONNEL, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO PRIVATE COLLEGES AND UNIVERSITIES, AND TO MAKE TECHNICAL CHANGES; 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.

It is with difficulty that I do so because I’m a big proponent of choice in education and an important part of this includes private, church and Christian schools. To me they’re invaluable in their contribution to society at-large not only because of the choice they represent, but because an educated mind without an accompanying value system to go with it doesn’t work. C. S. Lewis has written extensively on this, but probably my favorite quote on this front comes from Sri Sathya Sai Baba who said, “Politics without principles, education without character, science without humanity, and commerce without morality are not only useless, but also positively dangerous.” So all this is an exceedingly long way of saying that as an administration we would want to do anything we could to help, where possible, private institutions in their efforts to uphold their respective value systems. Unfortunately, I am unable to support this Bill for the following reasons:

Currently in South Carolina, private colleges and universities may hire people that, after meeting certain training requirements, serve as campus police officers and have the same privileges to enforce South Carolina law as state-employed police – including the power to arrest or detain suspects and to issue traffic citations. Campus police are also authorized to enforce the school’s rules and policies. Despite campus police’s broad authority, current state law limits the jurisdiction of private police officers to the school’s property. State police jurisdiction is similarly limited to the local jurisdiction’s boundaries – in other words, Lexington County police officers have jurisdiction only within Lexington County. This legislation extends private school police authority from the private sphere to the public sphere by giving the campus police jurisdiction within 100 yards of the school’s property, and by giving them jurisdiction while traveling related to a school-sponsored event or in performance of other school business.

The principle of private property rights is built on the idea that private citizens may enforce whatever rules they wish – within reason – on their own land, in their own homes or businesses - but they may not enforce those rules beyond their property’s borders. We think private schools should be held to the same standard. By contrast, S. 19 expands private police jurisdiction far beyond the campus’ boundaries by, for instance, allowing campus police from a private school in Charleston to write traffic citations in Greenville. Additionally, the Bill gives private school police jurisdiction over neighborhoods and individuals *near* the campus – allowing campus police to enforce state law and “campus law” with regard to people who never consented to campus police jurisdiction and whose only connection to the school is that they live close to school-owned property.

So again, although we respect the work of private school police officers, we cannot support expanding private police jurisdiction to impact larger segments of the public. For these reasons, I am vetoing and returning without my approval S. 19, R. 137.

Sincerely,

Mark Sanford

**VETO SUSTAINED**

(R137, S19) -- Senator Fair: AN ACT 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 PROVIDE THAT THESE PROVISIONS APPLY TO PRIVATE INSTITUTIONS, TO MAKE TECHNICAL CHANGES, TO REVISE THE JURISDICTIONAL BOUNDARY OF A CAMPUS 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; TO AMEND SECTION 59‑116‑50, RELATING TO THE RANKS AND GRADES OF CAMPUS POLICE OFFICERS, SO AS TO DELETE THE TERM “PUBLIC SAFETY DIRECTOR” AND REPLACE IT WITH THE TERM “CHIEF LAW ENFORCEMENT EXECUTIVE”, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THIS PROVISION APPLIES TO PRIVATE INSTITUTIONS; TO AMEND SECTION 59‑116‑60, RELATING TO CAMPUS POLICE VEHICLES AND RADIO SYSTEMS, SO AS TO SUBSTITUTE THE TERM “CAMPUS POLICE DEPARTMENT” FOR THE TERM “SAFETY AND SECURITY DEPARTMENT”; TO AMEND SECTION 59‑116‑80, RELATING TO IMPERSONATING A CAMPUS POLICE OFFICER, SO AS TO SUBSTITUTE THE TERM “CAMPUS SECURITY DEPARTMENT” FOR THE TERM “SAFETY AND SECURITY DEPARTMENT”; TO PROVIDE THAT THIS PROVISION APPLIES TO A PRIVATE COLLEGE OR UNIVERSITY, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 59‑116‑100, RELATING TO THE PROCESSING OF A PERSON ARRESTED BY A CAMPUS POLICE OFFICER, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO THE ARREST OF A PERSON BY A CAMPUS SECURITY OFFICER; TO AMEND SECTION 59‑116‑120, RELATING TO COLLEGES AND UNIVERSITIES EMPLOYING SECURITY PERSONNEL, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO PRIVATE COLLEGES AND UNIVERSITIES, AND TO MAKE TECHNICAL CHANGES; 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 veto of the Governor was taken up for immediate consideration.

Senator FAIR spoke on the veto.

Senator FAIR moved that the veto of the Governor be overridden.

**ACTING PRESIDENT PRESIDES**

Senator LARRY MARTIN assumed the Chair.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

**Ayes 27; Nays 15**

**AYES**

Alexander Anderson Bryant

Campbell Campsen Cleary

Courson Fair Grooms

Hayes Knotts Land

Leatherman Lourie *Martin, Larry*

Massey McConnell McGill

Nicholson O’Dell Peeler

Reese Scott Setzler

Sheheen Shoopman Verdin

**Total--27**

**NAYS**

Bright Coleman Cromer

Davis Ford Hutto

Jackson Malloy *Martin, Shane*

Mulvaney Pinckney Rankin

Rose Ryberg Williams

**Total--15**

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

**MESSAGE FROM THE GOVERNOR**

State of South Carolina

Office of the Governor

P. O. Box 11369

Columbia, SC 29211

March 31, 2010

The Honorable André Bauer

President of the Senate

State House, First Floor, East Wing

Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am writing to inform you that I am vetoing and returning without my approval S. 191, R. 140, which provides law enforcement the authority to subject probationers and parolees to searches and seizures without warrants and, in many cases, without suspicion.

(R140, S191) -- Senators McConnell, Malloy, Campsen, Sheheen, Rose, Campbell and Knotts: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE “SOUTH CAROLINA REDUCTION OF RECIDIVISM ACT OF 2010” 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 63‑19‑1820, 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 63‑19‑1850, RELATING TO CONDITIONAL RELEASE, 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 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 AN ELIGIBLE 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; 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.

I have spoken with many, like Mayor Joe Riley of Charleston, whose opinion and advice on matters like this one I admire, but at the end of the day, am still compelled to veto this Bill. I do so because I believe there is a balancing act for all of us between fundamental rights bestowed by God, rather than society, and the needs of any society for law and order. In the past, we have attempted to strike this balancing act by opposing legislation that we believed went too far in eroding liberty such as the DNA sampling Bill and the REAL ID Bill.

All of us give up certain freedoms to live in a civilized society. Society at large holds to certain standards and, when breached through the judicial and law enforcement arms, exacts consequences. And as we recognized in our veto message of the DNA Bill, the greater the breach – or crime – the greater the consequence and, in turn, the more rights you are legitimately compelled to give up.

The greatest of all aims in the American system is toward freedom and liberty and correspondingly this, I believe, is the right we should most jealously guard. Our Founding Fathers viewed liberty as an inalienable right from God and, therefore, when we talk of taking it from a member of society, even one who has committed a crime in the past, I believe there should be an overwhelming reason to do so. The data that has been provided to this office to date does not show this overwhelming reason since other states that have adopted similar measures saw no material change in recidivism or decreases in crime. If there had been overwhelming results on this front, we would have supported the Bill since in that case the benefit to society would outweigh the cost to individual liberty.

I appreciate the jobs our law enforcement officers perform and recognize their need for tools and methods to keep South Carolinians safe, and from their vantage point I can see where it might aid them in their efforts and understand their advocacy. From the view of society at large, and the balance between efforts aimed at security and freedom, it goes too far in giving law enforcement a blanket grant of authority to conduct searches and seizures over a segment of our population regardless of whether there is a reasonable suspicion of criminal activity. We believe that an essential safeguard of liberty in this country is the protection from unreasonable searches and seizures by the government, and this Bill removes that protection for probationers and parolees by subjecting them to searches without cause or warrants.

Part of our Founders’ aim toward a restrained and limited government was predicated on holding back from arbitrarily invading the privacy of any citizens through suspicionless and warrantless searches. With probable cause or suspicion there are a host of tools available to government to conduct a search. Accordingly, we feel that once a judge or parole board determines that an individual is fit to live in free society outside the confines of a prison, then they are entitled to a sphere of privacy that cannot be invaded by the government without reasonable suspicion or a warrant.

As we look at sentencing reform in this State, I think it will be very important to address this issue of search and seizure. Our office, in fact, would not have a problem with prospectively including it as a part of sentencing alternatives, but view the retrospective action outlined in this Bill to be something very different both in its cost to civil liberty and in not living up to its claims in making our State safer.

For these reasons, we are vetoing S. 191, R. 140.

Sincerely,

/s/ Mark Sanford

**VETO OVERRIDDEN**

(R140, S191) -- Senators McConnell, Malloy, Campsen, Sheheen, Rose, Campbell and Knotts: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE “SOUTH CAROLINA REDUCTION OF RECIDIVISM ACT OF 2010” 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 63‑19‑1820, 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 63‑19‑1850, RELATING TO CONDITIONAL RELEASE, 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 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 AN ELIGIBLE 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; 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.

The veto of the Governor was taken up for immediate consideration.

Senator McCONNELL spoke on the veto.

Senator HUTTO spoke on the veto.

Senator MALLOY spoke on the veto.

Senator McCONNELL moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

**Ayes 36; Nays 7**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Knotts Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Mulvaney Nicholson O’Dell

Peeler Pinckney Rankin

Rose Setzler Sheheen

Shoopman Verdin Williams

**Total--36**

**NAYS**

Anderson Hutto Jackson

Leventis Reese Ryberg

Scott

**Total--7**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**VOTE RECONSIDERED WHEREBY VETO WAS SUSTAINED VETO CARRIED OVER**

(R137, S19) -- Senator Fair: AN ACT 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 PROVIDE THAT THESE PROVISIONS APPLY TO PRIVATE INSTITUTIONS, TO MAKE TECHNICAL CHANGES, TO REVISE THE JURISDICTIONAL BOUNDARY OF A CAMPUS 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; TO AMEND SECTION 59‑116‑50, RELATING TO THE RANKS AND GRADES OF CAMPUS POLICE OFFICERS, SO AS TO DELETE THE TERM “PUBLIC SAFETY DIRECTOR” AND REPLACE IT WITH THE TERM “CHIEF LAW ENFORCEMENT EXECUTIVE”, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THIS PROVISION APPLIES TO PRIVATE INSTITUTIONS; TO AMEND SECTION 59‑116‑60, RELATING TO CAMPUS POLICE VEHICLES AND RADIO SYSTEMS, SO AS TO SUBSTITUTE THE TERM “CAMPUS POLICE DEPARTMENT” FOR THE TERM “SAFETY AND SECURITY DEPARTMENT”; TO AMEND SECTION 59‑116‑80, RELATING TO IMPERSONATING A CAMPUS POLICE OFFICER, SO AS TO SUBSTITUTE THE TERM “CAMPUS SECURITY DEPARTMENT” FOR THE TERM “SAFETY AND SECURITY DEPARTMENT”; TO PROVIDE THAT THIS PROVISION APPLIES TO A PRIVATE COLLEGE OR UNIVERSITY, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 59‑116‑100, RELATING TO THE PROCESSING OF A PERSON ARRESTED BY A CAMPUS POLICE OFFICER, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO THE ARREST OF A PERSON BY A CAMPUS SECURITY OFFICER; TO AMEND SECTION 59‑116‑120, RELATING TO COLLEGES AND UNIVERSITIES EMPLOYING SECURITY PERSONNEL, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO PRIVATE COLLEGES AND UNIVERSITIES, AND TO MAKE TECHNICAL CHANGES; 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.

Having voted on the prevailing side, Senator CROMER moved to reconsider the vote whereby the veto of the Governor was sustained.

The vote whereby the veto of the Governor was sustained was reconsidered.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

On motion of Senator CROMER, the veto of the Governor was carried over.

**MESSAGE FROM THE GOVERNOR**

State of South Carolina

Office of the Governor

P. O. Box 11369

Columbia, SC 29211

March 31, 2010

The Honorable André Bauer

President of the Senate

State House, First Floor, East Wing

Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am writing to inform you that I am vetoing and returning without my approval S. 964, R. 145, a Bill that would create the Technical College of the Lowcountry Enterprise Campus Authority.

(R145, S964) -- Senators Pinckney and Davis: AN ACT 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.

As we have said in the past, we support the technical colleges and their mission to educate students and train them for the workforce, and the Technical College of the Lowcountry has done and continues to do a great job for people from Beaufort, Jasper and even surrounding counties. Despite this affinity for the system at large and the Lowcountry in particular, we are still compelled to veto this legislation because of its ultimate cost to the taxpayers and far-reaching consequences in other areas of the State.

The core mission of education should be education. Over the last few years we have seen any number of campuses started around the State under the auspices of creating jobs and in each instance they have been very costly to the taxpayer – and over time will serve to raise the cost of education to the student as well.

Let me be specific on this; over the past six years we have seen projects started with public money on the promise that they would eventually be funded with private dollars. Unfortunately this promise has not always been realized and, if past is prologue, it is unlikely that it will be with this legislation. Last year we vetoed a similar piece of legislation, citing the lack of success – and a lack of private funding – of projects such as University of South Carolina’s Innovista and Clemson’s Restoration Institute. In the case of Innovista, the problem is the buildings that were constructed using public dollars remain largely vacant, and USC lacks the additional private funding needed to complete the project. Innovista has yet to attract enough private capital to make the project a worthwhile expenditure of public funds, despite the fact that the promise of private investment was the project’s original justification.

We can also look at Clemson’s Restoration Institute, whose lifeline is South Carolina taxpayers, that has yet to realize the promised private investment necessary to make this project worthwhile. We are concerned that supporting S. 964 would put our State in the position of putting more public funds toward research buildings without sufficient ready-to-go private tenants or accompanying private investments. We believe it is time to replace involuntary taxpayer capital with voluntary private capital.

Last year, when considering similar legislation, we also questioned if this was the best use of resources for schools given the “current fiscal climate.” This year’s fiscal climate is even worse with over a $450 million shortfall in the state’s budget. This makes it even tougher to justify schools spending money to step outside their core mission of educating the students they serve. Next year’s budget scenario will be even more alarming, as nearly $1 billion in stimulus funding that has been used to fill gaps in the general fund budget dries up – meaning more cuts to higher education could be on the horizon.

In our veto message last year we stated that we would support legislation similar to this if it contained certain assurances – such as commitments from private investors before construction begins, a cost benefit analysis before taxpayer dollars are spent, and a dedicated revenue source before a project is started. This Bill contains none of these assurances and cannot guarantee that taxpayers’ money will not be wasted on projects that the private sector does not support.

So although we applaud the Bill’s goals, we cannot support this legislation. We would be willing to reconsider our position during better economic times if the assurances outlined above are included.

For the reasons above, I am vetoing and returning without my approval S. 964, R. 145.

Sincerely,

Mark Sanford

**VETO OVERRIDDEN**

(R145, S964) -- Senators Pinckney and Davis: AN ACT 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.

The veto of the Governor was taken up for immediate consideration.

Senator PINCKNEY spoke on the veto.

Senator PINCKNEY moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

**Ayes 41; Nays 1**

**AYES**

Alexander Anderson Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Jackson Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

McConnell McGill Mulvaney

Nicholson O’Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Verdin Williams

**Total--41**

**NAYS**

*Martin, Shane*

**Total--1**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

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

**CARRIED OVER**

S. 1 -- Senators McConnell, Peeler, Leatherman, Sheheen, Rose, Courson, Elliott, Massey, Hayes, Davis, Bright, Campsen, Campbell, L. Martin, Knotts, Alexander, S. Martin, Shoopman and Rankin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE REQUIREMENT FOR THE STATE AND ITS POLITICAL SUBDIVISIONS TO HAVE BUDGET PROCESSES DESIGNED TO KEEP REVENUES AND EXPENDITURES IN BALANCE, THE LIMITATION ON STATE APPROPRIATIONS, AND THE LIMITATIONS ON STATE EMPLOYEES, SO AS TO DELETE THE EXISTING STATE SPENDING LIMITATION AND REQUIRE THE GENERAL ASSEMBLY TO REPLACE IT BY A LAW IMPOSING AN ANNUAL LIMIT ON THE APPROPRIATION OF STATE GENERAL FUND REVENUES BY ADJUSTING SUCH REVENUES BY A ROLLING TEN‑YEAR AVERAGE IN ANNUAL CHANGES IN GENERAL FUND REVENUES; TO ALLOW THE CREATION OF A BUDGET STABILIZATION FUND IN THE STATE TREASURY TO WHICH MUST BE CREDITED ALL GENERAL FUND REVENUES IN EXCESS OF THE ANNUAL LIMIT; AND TO PROVIDE BY GENERAL LAW FOR THE APPROPRIATIONS TO WHICH THE LIMIT APPLIES, THE METHOD OF AND SOURCES FOR CALCULATING THE LIMIT; AND TO PROVIDE FOR THE DISBURSEMENTS FROM THE BUDGET STABILIZATION FUND.

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

On motion of Senator McCONNELL, the Joint Resolution was carried over.

**AMENDED, READ THE THIRD TIME**

**RETURNED TO THE HOUSE WITH AMENDMENTS**

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

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

Senator LEATHERMAN spoke on the Bill.

Senator LEATHERMAN moved under the provisions of Rule 26B to take up an additional amendment on third reading.

Having received the requisite number of votes under the provisions of Rule 26B, Amendment No. 1 was taken up for immediate consideration.

**Amendment No. 1**

Senators LEATHERMAN and LAND proposed the following Amendment No. 1 (3584FIN018.HKL), which was adopted:

Amend the bill, as and if amended, beginning on page 2, by deleting line 34 through line 2 on page 3.

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_. Chapter 49, Title 11 of the 1976 Code is amended by adding:

“Section 11-49-55. Notwithstanding any other provision of law, and to the extent that funds are available and not otherwise committed or restricted by law or by contract, from the trust fund created pursuant to this chapter, the State Treasurer shall direct:

(1) upon creation of the I‑95 Corridor Authority, three million dollars annually to the I‑95 Corridor Authority for a grant program for infrastructure improvements along the I‑95 Corridor. Any grant awarded pursuant to this subitem shall be matched on a two‑to‑one basis by the grant recipient; and

(2) one million dollars annually to the Department of Agriculture to cause the marketing and branding of South Carolina agricultural crops or produce as being grown in South Carolina when offered for sale in retail establishments and to assist in relief from natural disasters affecting state‑grown crops. /

Renumber sections to conform.

Amend title to conform.

Senator LAND explained the amendment.

**Point of Order**

Senator MULVANEY raised a Point of Order that the amendment was out of order inasmuch as it was not germane to the Bill.

**Point of Order**

Senator McCONNELL raised a Point of Order that the Point of Order raised by Senator MULVANEY came too late inasmuch as a vote under Rule 26B had already been taken.

Senator MULVANEY spoke on the Point of Order.

The ACTING PRESIDENT overruled the Point of Order raised by Senator McCONNELL.

The ACTING PRESIDENT overruled the Point of Order raised by Senator MULVANEY.

Senator LAND resumed speaking on the amendment.

With Senator LAND retaining the floor, Senator RYBERG asked unanimous consent to make a motion to substitute Amendment No. 1A for Amendment No. 1.

There was no objection

**Amendment No. 1A**

Senators LEATHERMAN, LAND and ALEXANDER proposed the following Amendment No. 1A (3584FIN022.HKL), which was adopted:

Amend the bill, as and if amended, beginning on page 2, by deleting line 34 through line 2 on page 3.

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_. Chapter 49, Title 11 of the 1976 Code is amended by adding:

“Section 11-49-55. Notwithstanding any other provision of law, and to the extent that funds are available and not otherwise committed or restricted by law or by contract, from the trust fund created pursuant to this chapter, the State Treasurer shall direct:

(1) upon creation of the I‑95 Corridor Authority, three million dollars annually for five fiscal years beginning with the first fiscal year in which funds are available, to the I‑95 Corridor Authority for a grant program for infrastructure improvements along the I‑95 Corridor. Any grant awarded pursuant to this subitem shall be matched on a two‑to‑one basis by the grant recipient; and

(2) one million dollars annually for five fiscal years beginning with the first fiscal year in which funds are available, to the Department of Agriculture to cause the marketing and branding of South Carolina agricultural crops or produce as being grown in South Carolina when offered for sale in retail establishments and to assist in relief from natural disasters affecting state‑grown crops. /

Renumber sections to conform.

Amend title to conform.

Senator LAND explained the amendment.

The question then was the adoption of the amendment.

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

**Ayes 32; Nays 12**

**AYES**

Alexander Anderson Campbell

Cleary Coleman Cromer

Elliott Fair Ford

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey McConnell

McGill Nicholson O’Dell

Pinckney Rankin Reese

Ryberg Scott Setzler

Sheheen Williams

**Total--32**

**NAYS**

Bright Bryant Campsen

Courson Davis Grooms

*Martin, Shane* Mulvaney Peeler

Rose Shoopman Verdin

**Total--12**

The amendment was adopted.

**Statement by Senator SHANE MARTIN**

I voted NO on the adoption of this amendment because it still spends the same amount of funds that are not sustainable.  It only moves the funding source from one government cookie jar to another.  However, this move is just done to gain support from those who didn’t get any part of the government cookie jar the first go around.  Once again, we need to only fund core government services with our tax dollars.  Needs‑‑not wants--are what we need to focus on!

The question then was the third reading of the Bill.

Senator BRYANT argued contra to the third reading of the Bill.

**Remarks by Senator BRYANT**

I’d like to call your attention to mainly three things -- taxes, spending and government health care -- even Massachusetts taxes excess spending and government health care. I am terribly disappointed that this Bill raises taxes. It takes $100 and some million out of the economy and it goes to government health care that needs reform. If we don’t reform this system, we are going to continue in this manner and we are never going to fully have a good Medicaid system in this State until we do reform it. I am disappointed that we didn’t cut taxes. We are at record high unemployment in this State and we had the opportunity to cut taxes that would have allowed small businesses to expand in order to hire folks and get folks off the rolls of welfare -- get them back to work, get them paying taxes. And, it actually would increase revenue.

I found three instances where the federal government cut taxes on the income side and helped the economy and actually increased revenue. Under President Kennedy, in 1963, they cut income taxes. It boosted the economy and revenue increased. Under Ronald Regan, in 1981, they cut income taxes. It helped the economy and revenue increased. In 2003, when income taxes were cut, the economy was lifted and more revenue came in. We had the opportunity to reduce property taxes for manufacturers, here again, it would have created jobs. We had the opportunity to cut property taxes on agriculture, and that would have seen some job growth. We had the opportunity to eliminate the capital gains tax, here again, what would that have done for investment? Mr. PRESIDENT, I am very disappointed that these things were not done in this Bill and I just felt a need to come and express myself once again as to why I cannot support this Bill.

Thank you, Mr. PRESIDENT.

On motion of Senator BRIGHT, with unanimous consent, the remarks of Senator BRYANT were ordered printed in the Journal.

Senator ELLIOTT spoke on the Bill.

Senator BRIGHT spoke on the Bill.

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

**Ayes 32; Nays 12**

**AYES**

Alexander Anderson Campbell

Cleary Coleman Cromer

Elliott Fair Ford

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey McConnell

McGill Nicholson O’Dell

Pinckney Rankin Reese

Rose Scott Setzler

Sheheen Williams

**Total--32**

**NAYS**

Bright Bryant Campsen

Courson Davis Grooms

*Martin, Shane* Mulvaney Peeler

Ryberg Shoopman Verdin

**Total--12**

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Statement by Senator LEVENTIS**

Senator BRIGHT’s remarks are demonstrably narrow in their interpretation of what happened when Presidents Reagan and Bush cut taxes.  Senator BRIGHT failed to acknowledge that the national debt doubled under President Reagan’s administration to almost $4 trillion and doubled under President Bush from $5 to well over $10 trillion.  So these administrations were borrow-and-spend administrations. In fact, over 80% of the total national debt ever accumulated over the history of this country was tallied up during the Reagan and two Bush administrations.

 The best economy during the period from 1980 to 2008 was during the Clinton years in no small part due to the tax increases under President George H. W. Bush which spurred a period when leaders such as John Spratt among others were able to produce the only balanced budget during this period.

Sen. BRIGHT’s simply saying that tax cuts equal prosperity is just not true.  What these tax cuts have done is placed incredible burdens of debt on our future.

Further, research has shown that for each pack of cigarettes that is consumed, the cost to the community is $8 to $10 in increased health care costs and lost productivity.  In effect, smokers are taxing the public!

**Statement by Senator CAMPSEN**

I voted against the cigarette tax Bill because of the amendment that spends $4 million annually on projects completely unrelated to healthcare along the I-95 corridor and at the Department of Agriculture.  These parochial earmarks were, according to statements made on the floor of the Senate, designed to secure enough votes from legislators in the I-95 corridor to override an expected gubernatorial veto.   I am opposed to this type of open vote trading.  Trading earmarks for votes smacks of Washington political maneuvers, such as the notorious “Louisiana Purchase” and “Cornhusker Kickback” recently used by the U.S. Senate to pass the federal healthcare Bill.  I oppose this approach to lawmaking.

The I-95 earmark effectively eliminates $12 million per year in Medicaid funding due to the loss of the Medicaid 3:1 match.  Hopefully, the House will remove this provision and spend the money exclusively on healthcare related expenses and smoking cessation.  If that occurs, I will be able to support the Bill when it returns from the House.

**CARRIED OVER**

S. 1057 -- Senators Alexander, Courson, Davis, Knotts, Grooms and McGill: A BILL TO AMEND SECTION 12‑6‑3622 OF THE 1976 CODE, RELATING TO TAX CREDITS FOR A FIRE SPRINKLER SYSTEM, TO CREATE A STUDY COMMITTEE TO DEVELOP AND EXPAND THE TAX CREDIT PROGRAM; TO AMEND SECTION 6‑9‑60, RELATING TO THE ADOPTION OF CERTAIN BUILDING CODES, TO PROVIDE THAT A LOCAL GOVERNMENT MAY NOT ADOPT BY REFERENCE A BUILDING CODE FOR RESIDENCES; AND TO REPEAL SECTION 6‑9‑135.

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

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

**DEBATE INTERRUPTED**

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.

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

On motion of Senator McCONNELL, debate was interrupted by adjournment.

**LOCAL APPOINTMENT**

**Confirmation**

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

Reappointment, Calhoun County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Robert H. Lake, 212 Carlisle Ave., St. Matthews, SC 29135

**MOTION ADOPTED**

On motion of Senators KNOTTS, LARRY MARTIN, ALEXANDER, SETZLER and SHEHEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of

Mrs. Patricia “Pat” Douglass Ogburn of Lugoff, S.C., beloved wife of our friend and former colleague, Representative Derial Ogburn and devoted mother to Meredith and Lauren. Mrs. Ogburn at one time worked for the Kershaw County Legislative Delegation and our former Senator DON HOLLAND.

and

**MOTION ADOPTED**

On motion of Senator LOURIE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Laurin Currie McArthur, Jr. of Columbia, S.C., beloved husband of Anne, devoted father of Laurin, John and Sara and doting grandfather. Dr. McArthur, a veteran of World War II serving as a destroyer officer, officer in charge of USN liaison teams and as tactical officer to the commander in chief, British Pacific Fleet, was an outstanding teacher in the Darlington Schools, University of South Carolina, UNC in Chapel Hill, the University of Georgia, Auburn University and Furman University and assistant superintendent in the Orangeburg School District Two and superintendent of the Beaufort School District One and Sumter School District Seventeen.

**ADJOURNMENT**

At 7:49 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M.

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