**Tuesday, April 12, 2011**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

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

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

In Deuteronomy the priest directed the people to say:

“Then you shall declare before the Lord your God: ‘My father was a wandering Aramean…’ ” (Deuteronomy 26:5a)

Let us pray.

Holy God, it was on this very date, 150 years ago, that the initial shots were fired upon Fort Sumter, triggering one of the most perilous periods in our nation’s history. Many family stories are bound up in that event, and all of us have a family history that has molded and shaped us in all sorts of ways. Whatever our individual family journey might have been, we are now one people living in this State and nation that we love. So, Lord, guide each of these Senators as they continue to honor and serve all South Carolinians. In Your loving name we pray, dear Lord.

Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointments**

Initial Appointment, South Carolina Board of Probation, Parole & Pardon Services, with the term to commence March 15, 2011, and to expire March 15, 2017

2nd Congressional District:

Norris G. Ashford, 437 North Royal Tower Drive, Irmo, SC 29063 *VICE* James A. Gordon (resigned)

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2008, and to expire June 30, 2012

2nd Congressional District:

William O. Boyte III, 156 Royal Creek Drive, Lexington, SC 29072 *VICE* Robert Williams

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2010, and to expire June 30, 2014

Anthony Quinn Eubanks, 107 Hillandale Road, Pendleton, SC 29670 *VICE* Paul Kennemore

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2010, and to expire June 30, 2014

5th Congressional District:

Clyde M. Jones, 1002 Sunnyhill Drive, Camden, SC 29512

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2011, and to expire June 30, 2015

At-Large Doctor:

James William Phillips III, 30 Foot Point Road, Columbia, SC 29209

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2008, and to expire June 30, 2012

4th Congressional District:

Alan Wells, 1107 Edwards Road, Greenville, SC 29615 *VICE* Mrs. Lynda Leventis-Wells

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2011, and to expire June 30, 2017

1st Congressional District:

Carole S. Russell, 339 Muirfield Parkway, Charleston, SC 29414 *VICE* James R. Bradham

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2008, and to expire July 1, 2012

At-Large:

Jennifer B. Settlemyer, 773 Harbor View Drive, Prosperity, SC 29127 *VICE* Dr. Douglas Forbes

Referred to the Committee on Education.

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

At-Large:

Pamela P. Lackey, 1672 Tanglewood Road, Columbia, SC 29204 *VICE* S. Richard Hagins

Referred to the Committee on Transportation.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2011, and to expire February 13, 2016

At-Large:

Patrick W. McKinney, 37 Legare Street, Charleston, SC 29401 *VICE* Colden Battey

Referred to the Committee on Transportation.

Initial Appointment, South Carolina State Ports Authority, with the term to commence June 4, 2008, and to expire June 4, 2013

At-Large:

Henry D. McMaster, 1731 Senate Street, Columbia, SC 29201 *VICE* Harry Butler, Jr.

Referred to the Committee on Transportation.

**Doctor of the Day**

Senator CLEARY introduced Dr. Gerald E. Harmon of Georgetown, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator GROOMS, at 12:05 P.M., Senator McCONNELL was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator CAMPBELL, at 12:05 P.M., Senator CAMPSEN was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator SHANE MARTIN, at 12:05 P.M., Senator REESE was granted a leave of absence until 1:30 P.M.

**Leave of Absence**

On motion of Senator ELLIOTT, at 12:05 P.M., Senator LOURIE was granted a leave of absence for today.

**REPORT RECEIVED**

FINDING OF THE JOINT TRANSPORTATION REVIEW COMMITTEE

The Joint Transportation Review Committee met on Thursday, April 7, at 2:00 p.m. in Room 209 of the Gressette Building. Members considered the qualifications of Mr. G. Clifton Parker of Lexington to serve as a Commissioner of the Department of Transportation Commission.

Mr. Parker is the Governor’s at-large appointee to the commission. Mr. Parker was found to be QUALIFIED to serve on the commission.

This is an initial, statewide appointment. Mr. Parker serves at the pleasure of the Governor. He replaces Mr. Ken Willingham.

Respectfully submitted,

/s/Senator Grooms, Chairman /s/Rep. Lucas, Vice Chairman

/s/Senator Leatherman /s/Rep. Owens

/s/Senator McConnell /s/Rep. Long

/s/Senator Peeler /s/Mr. Reid Banks

/s/Senator Malloy /s/Mr. Patterson Smith

**CO-SPONSORS ADDED**

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

S. 258 Sen. Alexander

S. 263 Sen. Ford

S. 420 Sen. Ford

S. 477 Sen. Ford

S. 702 Sen. McConnell

S. 766 Sens. Verdin, Larry Martin, Ford, Massey, Knotts, Grooms

**CO-SPONSOR REMOVED**

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

S. 772 Sen. Shane Martin

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Remarks by Senator SETZLER**

PRESIDENT, ladies and gentlemen of the Senate, I rise today on an Expression of Personal Interest and personal concern.

I have been blessed to serve in this body for a period of time. I do not know when I have run into a harder nut to crack than what is going on in this State, and I want to share this with you because, at some point, this Senate is going to face this issue in one way or another. Believe me, it will not be an easy issue.

We are in a fight. We have two main great companies who are waging a national fight in the State of South Carolina, more specifically in Lexington County and in my Senatorial District. I come to you with a heavy heart because my heart and soul breathes economic development. The future of this State is economic development. I have heard politician after politician stand up and say we need jobs. We need economic development.

We have BMW, and I was here when we voted for that incentive package. Their initial employee commitment was 1900 jobs. Thanks to this General Assembly look at what we have in BMW in South Carolina today. We have an investment in employees, in payroll and in a “corporate citizen” in BMW.

Senator from Florence, Senator LEATHERMAN, we have Boeing. You worked like a Trojan. You called me, and we worked together on Boeing. Look what Boeing is doing to transform South Carolina. It will transform South Carolina again into the 21st Century and bring us new economic development.

But I can tell you that this State, in my opinion, is on the brink of economic disaster due to what is going on, and we all need to understand what is going on. I have been asked privately, where is the Lexington Delegation? What is going on?

So I am going to tell you the whole story from beginning to end and tell you what I think. I do not want anybody to take what I say personally, including individuals from the Governor on down. We have to come together in the House of Representatives, in the South Carolina Senate, in the Governor’s Office, and in the Department of Commerce. We have to right South Carolina.

I would ask those people who are the opposition (who are waging an admirable fight) what price must we pay in this State for this fight that is currently being held in the borders of South Carolina?

On December 23, 2010, the Lexington County Council came out in public session and voted to abolish the blue laws. They took the political heat to abolish the blue laws and bring Amazon -- which was known as project ASAP, to Lexington County, to Senate District 26, to Cayce, and to West Columbia. For those of you that are not familiar with it, it is near the new farmers’ market and the new corporate headquarters of Fortune 500 company SCANA. At that time there was a Memorandum of Understanding between Amazon and the Department of Commerce, not the South Carolina Legislature. We were not a party to the contract. I have the contract, and it is not signed by the South Carolina Senate. It is not signed by the South Carolina House of Representatives. It is signed by the South Carolina Department of Commerce. It says they will use their best efforts to pass this legislation. What legislation are we talking about?

Five years ago, we passed a Bill for a company in the Florence area. Everybody knows what company that is. We gave them two things. We gave them an income tax break, and we gave them a sales tax break for five years. The sales tax and the income tax sunset in June of 2010. A part of the argument in writing with Amazon is that a best effort will be made to reinstate that exemption, just like it was -- reinstate an income tax and sales tax exemption. To this date, that has not been done. To this date, we owe some explanation to South Carolina about what is going on in economic development.

Those on the Lexington County Council, who worked like Trojans to bring this project to South Carolina, knew nothing. They knew nothing of this commitment about this Bill. The Lexington County Delegation members knew nothing of this commitment. No one told us about this commitment that required legislation to be passed. But the State of South Carolina gave its word in writing. Therefore, we will make our best efforts to do what was told that we would do.

I do not care what company it is. I do not care if it is Amazon. I do not care if it is in Lexington County. I do not care if it is in Chesterfield County or where it is. The State of South Carolina gave its word. And believe me, the national press and other competitors in economic development are beating us over the head every single day and hour about this issue. If you do not believe it, pick up the national papers and talk with anyone in South Carolina, and they will tell you that Georgia, Tennessee, North Carolina, Arkansas and Florida are calling every one of our prospects and saying, “Look at what is happening in South Carolina.”

There were emails in August of 2010, making commitments to support this legislation and get the exemption for this company. It was entered into and backed up by the agreement.

Our delegation has struggled. We have worked because there is strong opposition to doing this legislation. There is quality opposition. They are running radio ads. They are running mailers in the districts. They have a full court press on. None of us take this lightly. However, when you walk through those doors, as Representative Tommy Huff who is now on the South Carolina Court of Appeals once said, “When we walk through those doors, it's different from being elected.” At that time, the cloak of responsibility goes on your shoulders. As an elected representative of the people who sent us here, sometimes we have to make tough choices. Sometimes we have to do what we do to try to live up to our word.

I have a great client and a personal friend who basically has built a rural community in my Senatorial District. He built his reputation and his community on his word and his handshake, not contracts. It is hard to get him to understand about contracts and written documents. His word is what he lives up to, and that is what we intend to do.

We intend to live up to the word of South Carolina.

Let me explain to you what we have here. This chart shows you. Right now we do not have Amazon. We have all this commotion about whether we are going to give them a sales tax exemption. Guess what we collect right now from the sales by Amazon. Zero sales tax -- zero. If we bring Amazon here and do what we committed to do, we get a $90 million capital investment. We get 1240 full-time jobs with healthcare benefits. Healthcare benefits are written into the agreement. We have 1250 employees that are going to have healthcare. We have 1550 seasonal jobs. We have $1 million that is going to go to the school districts to help keep taxes for funding off the backs of the citizens. On top of that, we have one other little thing if Amazon comes - $60 million annually in payroll. We will get $26 million annually in payroll that is going to roll over every day into the economy of South Carolina. So that is what we get if we give this exemption to Amazon.

What do we get if we do not? What if we do not give our best efforts to try to pass this legislation? What do we get when Amazon says adios and tells this story across the country? I met last week with the world policy advisor for Amazon. They do not have local folks in here dealing with this issue. They have their international people in here dealing with it because there is a war going on across the United States -- in every state. So what if we do not pass this legislation? We get $0 sales tax.

Under all three scenarios, we get $0 sales tax whether they are here, whether they are not here or if they leave. If they stay, we get payroll and $60 million payroll, a $90 million investment and 1259 full-time jobs with health benefits. And $1 million going to the schools.

Now I will tell you that I understand the impact and do not take lightly the impact on small retailers. My mother and father ran a hamburger and hot dog restaurant for 40 years. So I understand from my heart and soul about small business. I will tell you that we have fought this -- and I watched last week the Governor’s Press Conference. I apologize, Governor, when I say this, and I will tell you that up front. I was with you this morning to give your first Order of the Palmetto. I was with you when you signed into law “roll call voting.” But, respectfully Governor, I watched your Press Conference, and believe that this is a responsibility that we all have and that we all share. I believe your words were that the Department of Commerce is in a “bad spot.” Commerce is not in a bad spot. They made a commitment. It may have been a commitment under a previous administration, but it was a commitment. I have the newspaper article where the current Secretary of Commerce says he is in favor of the Amazon exemption.

Honestly I do not know what the solution is, but we are going to file legislation. We are going to file legislation to try to get us out of this mousetrap and do what is right for South Carolina and what South Carolina as a State said it was going to do.

Now, is that our responsibility? I think it is a shared responsibility. I think the executive branch of government made a commitment to Amazon. I think that the legislative leadership made a commitment to Amazon. I think we need to go forward if it takes meetings in the Governor’s Office daily with the opposition and with Amazon being present.

Maybe there is another solution. We have tried for five or six weeks to keep this great company but to, also, be fair to everybody, including our current retailers and merchants, and live up to the word of South Carolina.

I ask you to think about this issue. Both sides have obtained lobbyists, and I applaud all of them. I would ask that both sides come to the table. We need to work for the benefit of South Carolina. More importantly, if we are about jobs, we have 3,000 jobs at stake in this State and we want those jobs. If you have an idea, bring it to us. We want everyone to participate in this process.

This is not a Lexington County Delegation problem. This is not a problem of my Senatorial District. This is not a problem of Senator KNOTTS or of Senator COURSON or of Majority Leader Kenny Bingham, or of the Chairman of the Delegation, Mac Toole. It is a united problem that we all have. Somebody has to step up; therefore, we are going to put the issue on the table. We are going to try to figure out what the best solution is so that we can get this legislation or an alternative passed that brings a great company with great jobs and benefits all the while being fair to the people who are currently here in business.

I appreciate your time and efforts and hope that you will work with us as we go forward.

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

**Expression of Personal Interest**

Senator ROSE rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator KNOTTS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator RYBERG rose for an Expression of Personal Interest.

**RECALLED AND ADOPTED**

H. 3984 -- Reps. Howard, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G.A. Brown, H.B. Brown, R.L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb‑Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Munnerlyn, Murphy, Nanney, J.H. Neal, J.M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR WONDERFUL EFFORTS IN HELPING SOUTH CAROLINA’S YOUTH PREPARE FOR A PRODUCTIVE LIFE, TO RECOGNIZE THE TWELVE YOUNG PEOPLE FROM DIFFERENT BOYS & GIRLS CLUBS THROUGHOUT THE STATE WHO HAVE BEEN NAMED 2011 YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS, AND TO DECLARE THURSDAY, APRIL 14, 2011, AS “BOYS AND GIRLS CLUBS DAY” AT THE STATE HOUSE.

Senator ALEXANDER asked unanimous consent to make a motion to recall the Concurrent Resolution from the General Committee.

The Concurrent Resolution was recalled from the General Committee.

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

**RECALLED**

H. 3870 -- Rep. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HIGHLAND AVENUE IN THE CITY OF SPARTANBURG “THOMAS RICE, JR. AVENUE” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS AVENUE THAT CONTAIN THE WORDS “THOMAS RICE, JR. AVENUE”.

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

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

**RECALLED**

H. 3441 -- Reps. Huggins, Bingham, Ballentine, McLeod and Ott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57‑23‑845 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY MOW BEYOND THIRTY FEET FROM THE PAVEMENT ROADSIDE VEGETATION ADJACENT TO INTERSTATE 126 IN RICHLAND COUNTY AND INTERSTATE HIGHWAYS 20 AND 26 IN BOTH LEXINGTON AND RICHLAND COUNTIES.

Senator GROOMS asked unanimous consent to make a motion to recall the Bill from the Committee on Transportation.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 793 -- Senators Alexander and Bryant: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR FISCAL YEAR 2011-2012 TO TEMPORARILY SUSPEND ENFORCEMENT OF CERTAIN PROVISIONS OF THE MEDICAID NURSING HOME PERMIT LAW AND TO SET CERTAIN NURSING HOME STAFFING STANDARDS IN ORDER TO MEET APPROPRIATIONS.

l:\s-res\tca\010nurs.rem.tca.docx

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

S. 794 -- Senator Sheheen: A BILL TO AMEND SECTION 7-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESIDENTIAL PREFERENCE PRIMARIES, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION CONDUCT PRESIDENTIAL PREFERENCE PRIMARIES FOR CERTIFIED POLITICAL PARTIES THAT RECEIVED AT LEAST FIVE PERCENT OF THE POPULAR VOTE IN SOUTH CAROLINA FOR THE PARTY’S CANDIDATE FOR PRESIDENT OF THE UNITED STATES, EXCEPT WHEN A STATE COMMITTEE OF A POLITICAL PARTY DECIDES TO HOLD A PRESIDENTIAL PREFERENCE PRIMARY AS PROVIDED IN SECTION 7-11-25, AND IF MORE THAN ONE STATE COMMITTEE DECIDES TO HOLD A PRESIDENTIAL PREFERENCE PRIMARY, THE COMMITTEES MUTUALLY SHALL SET A SINGLE DATE FOR THE PRESIDENTIAL PREFERENCE PRIMARY THAT HAS A FILING DEADLINE NO LATER THAN SEVENTY-FIVE DAYS BEFORE THE PRESIDENTIAL PREFERENCE PRIMARY DATE, TO BE AGREED UPON BY JANUARY FIRST OF THE YEAR THE PRESIDENTIAL ELECTION IS TO BE HELD AND SUBMITTED TO THE STATE ELECTION COMMISSION, AND IF THE STATE COMMITTEES ARE NOT ABLE TO REACH AGREEMENT ON THE DATE FOR THE PRESIDENTIAL PREFERENCE PRIMARY, THEN THE PRESIDENTIAL PREFERENCE PRIMARY MUST BE HELD AS PROVIDED IN SECTION 7-13-40.

l:\council\bills\ggs\22080zw11.docx

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

S. 795 -- Senator Sheheen: A BILL TO AMEND SECTION 17-15-20 OF THE 1976 CODE, RELATING TO APPEARANCE BONDS, TO PROVIDE THAT AN APPEARANCE BOND IS VALID FOR A CERTAIN TIME PERIOD IN CIRCUIT AND MAGISTRATES OR MUNICIPAL COURTS UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE A PROCEDURE TO RELIEVE THE SURETY OF LIABILITY WHEN THE TIME PERIOD HAS RUN.

l:\s-res\vas\024bond.rem.vas.docx

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

S. 796 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17‑13-35 SO AS TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO IS OPERATING A LAW ENFORCEMENT VEHICLE OUTSIDE HIS JURISDICTION MAY STOP AND DETAIN CERTAIN VEHICLES AND THEIR OPERATORS UNDER CERTAIN CIRCUMSTANCES.

l:\council\bills\swb\6126cm11.docx

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

S. 797 -- Senator Thomas: A BILL TO AMEND SECTION 58-15-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT A BELL AND WHISTLE BE INSTALLED ON LOCOMOTIVES AND SOUNDED AT CROSSINGS, SO AS TO PROVIDE A LOCOMOTIVE MUST ALSO SOUND THIS BELL AND WHISTLE AT LEAST FIVE HUNDRED YARDS FROM THE PLACE WHERE THE RAILROAD CROSSES A BRIDGE OR TRESTLE.

l:\council\bills\agm\18953ab11.docx

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

S. 798 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 110 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES” SPECIAL LICENSE PLATES.

l:\council\bills\swb\6134cm11.docx

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

S. 799 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT INSURANCE REFORM (ARTICLE 2), DESIGNATED AS REGULATION DOCUMENT NUMBER 4170, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\dbs\31019ac11.docx

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

S. 800 -- Senator Shoopman: A JOINT RESOLUTION TO IMPOSE A MORATORIUM ON PERMITS FOR TROUT RIVER CROSS VANES ON THE SOUTH SALUDA RIVER.

l:\s-res\pws\003trou.kmm.pws.docx

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

S. 801 -- Senators Sheheen, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DARLA MOORE, LAKE CITY NATIVE, FAMED BUSINESSWOMAN, AND COMMITTED PHILANTHROPIST, FOR HER MANY YEARS OF SERVICE TO THE PALMETTO STATE AND MOST PARTICULARLY TO THE UNIVERSITY OF SOUTH CAROLINA.

l:\council\bills\rm\1166ahb11.docx

Senators COURSON and SHEHEEN spoke on the Resolution.

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

S. 802 -- Senator Ryberg: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD WEEK IN APRIL 2011 AS “SHAKEN BABY SYNDROME AWARENESS WEEK” TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

l:\s-res\wgr\009shak.mrh.wgr.docx

On motion of Senator RYBERG, with unanimous consent, the Concurrent Resolution was adopted and ordered sent to the House.

H. 3582 -- Reps. Harrison and Weeks: A BILL TO AMEND SECTION 17-22-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR A TRAFFIC EDUCATION PROGRAM, SO AS TO PROVIDE THAT A PERSON MAY BE CONSIDERED FOR THE PROGRAM IF HE HAS NO SIGNIFICANT HISTORY OF TRAFFIC VIOLATIONS.

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

H. 3679 -- Reps. Bannister and Weeks: A BILL TO AMEND SECTION 16-3-740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TESTING OF CERTAIN OFFENDERS FOR HEPATITIS B AND HUMAN IMMUNODEFICIENCY VIRUS (HIV), SO AS TO FURTHER CLARIFY OFFENDERS WHO MUST BE TESTED AND THE TIME FRAME THAT TESTING MUST BE CONDUCTED AND PROVIDE FOR FOLLOW-UP TESTING FOR HIV WHEN MEDICALLY APPROPRIATE.

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

H. 4030 -- Reps. Clyburn and Hixon: A BILL TO AMEND ACT 955 OF 1974, AS AMENDED, RELATING TO THE COMPENSATION OF THE EDGEFIELD COUNTY DISTRICT SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE TRUSTEES SHALL RECEIVE COMPENSATION AGREED UPON BY THE BOARD.

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

H. 4040 -- Rep. Hodges: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE MICROENTERPRISE DEVELOPMENT STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM JANUARY 20, 2011, TO JANUARY 20, 2012.

Read the first time and, on motion of Senator SCOTT, with unanimous consent, H. 4040 was ordered placed on the Calendar without reference.

H. 4056 -- Reps. Loftis, Funderburk, Agnew, Brady, Hardwick, Hodges, Gilliard, Allison, Pinson, Patrick, Brannon, Spires, Huggins, Crosby, Allen, Branham, Daning, Hamilton, Jefferson, D. C. Moss, Munnerlyn, Neilson, Pitts, Pope, Sandifer, J. E. Smith, Toole, Whipper, Williams and Willis: A CONCURRENT RESOLUTION TO DECLARE SATURDAY, APRIL 30, 2011, AS “SOUTH CAROLINA E-CYCLES DAY,” AND TO RECOGNIZE AND COMMEND THE PRIMARY SPONSOR, LG ELECTRONICS USA, AS WELL AS THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, WASTE MANAGEMENT, AND THE MANY OTHER BUSINESSES, GOVERNMENTAL ENTITIES, AND ORGANIZATIONS THAT ARE MAKING MULTIPLE E-WASTE COLLECTION EVENTS POSSIBLE ON THAT DAY.

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

H. 4066 -- Reps. Clyburn, Alexander, Allen, Anderson, Brantley, R. L. Brown, Butler Garrick, Cobb-Hunter, Dillard, Gilliard, Govan, Hart, Hodges, Hosey, Howard, Jefferson, King, Mack, McEachern, J. H. Neal, Parks, Rutherford, Sabb, Sellers, Weeks, Whipper and Williams: A CONCURRENT RESOLUTION TO WELCOME BACK TO SOUTH CAROLINA RICK C. WADE, SENIOR ADVISOR AND DEPUTY CHIEF OF STAFF, UNITED STATES DEPARTMENT OF COMMERCE, AS HE BRINGS THE KEYNOTE ADDRESS ON THE OCCASION OF THE SOUTH CAROLINA LEGISLATIVE BLACK CAUCUS CORPORATE ROUNDTABLE BUSINESS LUNCHEON ON APRIL 15, 2011.

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

**REPORT OF STANDING COMMITTEE**

Senator CROMER from the Committee on Fish, Game and Forestry polled out S. 643 favorable with amendment:

S. 643 -- Senators Knotts, Reese, Thomas, Ford, Matthews, Williams, Campsen, Cromer, Campbell, O’Dell, Rose and Setzler: A BILL TO AMEND SECTION 50‑5‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL EXHIBIT OF A MARINE MAMMAL IN THIS STATE AND PROVIDING PENALTIES FOR VIOLATION, SO AS TO PROHIBIT THE DISPLAY OF A WILD CAUGHT OR CAPTIVE BRED DOLPHIN OR WHALE AND TO REQUIRE THE MARINE MAMMAL STRANDING NETWORK TO ATTEMPT TO REHABILITATE AND TO RELEASE ANY BEACH‑STRANDED WHALE OR DOLPHIN AND TO PROVIDE PENALTIES.

**Poll of the Fish, Game and Forestry Committee**

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

**AYES**

Cromer Land McGill

Elliott Hutto Campsen

Knotts Fair Williams

Campbell Grooms Verdin

Sheheen Coleman *Martin, Shane*

Rose Shoopman

**Total--17**

**NAYS**

**Total--0**

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 791 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR W. PATRICK “PAT” EARLE FOR HIS CONTRIBUTIONS TO EDUCATION IN THE STATE OF SOUTH CAROLINA, AND TO CONGRATULATE HIM FOR HIS INDUCTION INTO THE NATIONAL TEACHERS HALL OF FAME.

Returned with concurrence.

Received as information.

**Message from the House**

Columbia, S.C., April 12, 2011

Mr. President and Senators:

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

H. 3003 -- Reps. Clemmons, Harrell, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, V.S. Moss, Norman, Parker, G.M. Smith, G.R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J.R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas, Pinson, D.C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE “SOUTH CAROLINA ELECTION REFORM ACT”; TO AMEND SECTION 7‑13‑710 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED, AND TO PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 7‑5‑125, SO AS TO PROVIDE THAT AN ELECTOR MAY OBTAIN A DUPLICATE REGISTRATION NOTIFICATION; TO AMEND SECTION 56‑1‑3350, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST FOR PERSONS AGED SEVENTEEN YEARS OR OLDER; TO AMEND SECTION 7‑13‑25, SO AS TO PROVIDE FOR AN EARLY VOTING PERIOD BEGINNING FIFTEEN DAYS BEFORE A STATEWIDE PRIMARY OR GENERAL ELECTION AND TO PROVIDE FOR THE HOURS AND EARLY VOTING LOCATION; TO AMEND SECTION 7‑3‑20, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE ELECTIONS COMMISSION TO MAINTAIN IN THE MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTERS IN A GENERAL ELECTION; TO AMEND SECTION 7‑15‑320, SO AS TO REFERENCE THE EARLY VOTING PERIOD PURSUANT TO SECTION 7‑13‑25 AND TO PROVIDE FOR CASTING OF AN ABSENTEE BALLOT BY PAPER OR BY A VOTING MACHINE AND ABSENTEE BALLOT CENTERS; TO AMEND SECTION 7‑1‑25, SO AS TO LIST FACTORS TO CONSIDER FOR DOMICILE; TO ADD SECTION 7‑5‑675, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION WILL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE VOTER; TO PROVIDE FOR A VOTER EDUCATION PROGRAM CONCERNING THE REQUIREMENTS OF THIS BILL; AND TO AMEND SECTIONS 7‑15‑330, 7‑15‑385, AND 7‑5‑230, ALL RELATING TO ELECTION LAWS, SO AS TO MAKE TECHNICAL CHANGES.

Respectfully submitted,

Speaker of the House

Received as information.

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

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

**THIRD READING BILLS**

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

S. 78 -- Senators Hayes, Lourie and L. Martin: A BILL TO AMEND SECTION 44‑53‑190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATERIALS, COMPOUNDS, MIXTURES, AND PREPARATIONS CLASSIFIED AS SCHEDULE I DRUGS, SO AS TO ADD SYNTHETIC CANNABIS TO THE LIST OF SCHEDULE I DRUGS.

S. 394 -- Senator Rose: A BILL TO AMEND SECTION 14-11-10, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE ESTABLISHMENT OF THE MASTER-IN-EQUITY COURT, SO AS TO PERMIT A COUNTY WITH A POPULATION OF MORE THAN ONE HUNDRED THIRTY THOUSAND BUT LESS THAN ONE HUNDRED FIFTY THOUSAND TO HAVE A PART-TIME OR A FULL-TIME MASTER-IN-EQUITY AS DETERMINED BY THE GOVERNING BODY OF THE COUNTY OR COUNTIES IN WHICH THE MASTER-IN-EQUITY SERVES; AND TO AMEND SECTION 14-11-30, RELATING TO THE COMPENSATION OF A MASTER-IN-EQUITY, SO AS TO ALLOW A PART-TIME MASTER-IN-EQUITY IN CITIES OR COUNTIES WITH POPULATIONS OF ONE HUNDRED THIRTY THOUSAND OR GREATER.

**AMENDED, READ THE THIRD TIME**

S. 53 -- Senators L. Martin, Leventis and Ford: A BILL TO AMEND CHAPTER 3, TITLE 16 OF THE 1976 CODE, BY ADDING ARTICLE 19 TO ESTABLISH A PROCEDURE FOR THE ISSUANCE OF PERMANENT AND EMERGENCY CIVIL NO‑CONTACT ORDERS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE DURATION OF CIVIL NO‑CONTACT ORDERS, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE A PENALTY FOR THE VIOLATION OF CIVIL NO‑CONTACT ORDERS.

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

**Motion Under Rule 26B**

Senator SHEHEEN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator SHEHEEN proposed the following amendment (JUD0053.001), which was adopted:

Amend the bill, as and if amended, on page 8, by striking lines 30-31, and inserting:

/ (L)(1) An emergency civil no-contact order remains in effect until a hearing on a permanent civil no-contact order. However, if a complainant does not seek a permanent civil no-contact order pursuant to Section 16-3-1910 within forty-five days of the the issuance of an emergency civil no-contact order, the emergency civil no-contact order no longer remains in effect. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O'Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

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

**AMENDED, READ THE THIRD TIME**

S. 258 -- Senators Sheheen, Campsen, Davis, Rose, Ryberg, McConnell, Massey, Rankin, Setzler, Knotts and Alexander: A BILL To amend SECTION 1‑3‑240 of the 1976 Code, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, TO PROVIDE THAT THE STATE INSPECTOR GENERAL MAY BE REMOVED BY THE GOVERNOR FOR MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY; AND TO AMEND TITLE 1 BY ADDING Chapter 6 to create the Office of the State Inspector General, TO providE that the State Inspector General IS appointed by the Governor with THE ADVICE AND CONSENT OF THE SENATE, TO AUTHORIZE THE STATE INSPECTOR GENERAL to address fraud, waste, abuse, and wrongdoing within THE South Carolina eXECUTIVE government agencies, AND TO PROVIDE FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE OFFICE.

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

**Motion Under Rule 26B**

Senator MASSEY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Senator MASSEY proposed the following amendment (JUD0258.001), which was adopted:

Amend the bill, as and if amended, on page 3, beginning at line 15, by striking Section 1-6-10(1) in its entirety and inserting:

/ (1) ‘Agency’ means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive department of state government, including administrative bodies. ‘Agency’ includes a body corporate and politic established as an instrumentality of the State. ‘Agency’ does not include:

(a) the judicial department of state government;

(b) quasi-judicial bodies of state government;

(c) the legislative department of state government; or

(d) political subdivisions. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senators MALLOY and ROSE spoke on the Bill.

The question then was third reading of the Bill.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Jackson Knotts Land

Leatherman Leventis Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson O'Dell

Peeler Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

**Total--36**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

**ORDERED TO A THIRD READING**

S. 785 -- Senator Land: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT FOUR TO ISSUE GENERAL OBLIGATION BONDS OF THE SCHOOL DISTRICT WITHIN ITS CONSTITUTIONAL DEBT LIMIT, IN ONE OR MORE SERIES, IN A TOTAL AMOUNT NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS, TO DEFRAY THE LOSS OF EDUCATION FINANCE ACT FUNDS TO THE SCHOOL 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.

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

Senator LAND proposed the following amendment (AGM\19012BH11), which was adopted:

Amend the bill, as and if amended, SECTION 2, page 2, line 13, by deleting / two million five hundred thousand / and inserting / one million /.

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 4; Nays 0**

**AYES**

Land Leatherman McGill

Williams

**Total--4**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time and ordered placed on the Third Reading Calendar.

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointments were confirmed in open session:

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2010, and to expire July 1, 2014

1st Congressional District:

Caroline Rhodes, 7 Guerard Road, Charleston, SC 29407

On motion of Senator CROMER, the question was confirmation of Ms. Rhodes.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Ms. Rhodes was confirmed.

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2010, and to expire July 1, 2014

At-Large Doctor:

Cary L. Chastain, 180 Mary Ellen Drive, Charleston, SC 29403 *VICE* Michael G. McShane

On motion of Senator CROMER, the question was confirmation of Mr. Chastain.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Mr. Chastain was confirmed.

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2010, and to expire July 1, 2014

5th Congressional District:

Randy Lowe, 1111 W. Carolina Ave., Hartsville, SC 29550 *VICE* Frank Murray, Jr.

On motion of Senator CROMER, the question was confirmation of Mr. Lowe.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Mr. Lowe was confirmed.

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2010, and to expire July 1, 2014

2nd Congressional District:

Michael E. Hutchins, 617 Two Notch Road, Lexington, SC 29073 *VICE* Michael Campbell

On motion of Senator CROMER, the question was confirmation of Mr. Hutchins.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Mr. Hutchins was confirmed.

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2010, and to expire July 1, 2014

3rd Congressional District:

Larry L. Yonce, 1302 Calhoun Street, Johnston, SC 29832 *VICE* Stephen Davis

On motion of Senator CROMER, the question was confirmation of Mr. Yonce.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Mr. Yonce was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointments were confirmed in open session:

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2007, and to expire June 30, 2011

1st Congressional District:

Mark Lutz, 60 On the Harbor Drive, Mt. Pleasant, SC 29464 *VICE* Edwin Cooper III (resigned)

Reappointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2011, and to expire June 30, 2015

1st Congressional District:

Mark Lutz, 60 On the Harbor Drive, Mt. Pleasant, SC 29464

On motion of Senator PEELER, the question was confirmation of Mr. Lutz.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Mr. Lutz was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2007 and to expire June 30, 2011

6th Congressional District:

John O. Hutto, Sr., 1025 Moss Street, Orangeburg, SC 29115 *VICE* Dr. Coleman Buckhouse

Reappointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2011, and to expire June 30, 2015

6th Congressional District:

John O. Hutto, Sr., 1025 Moss Street, Orangeburg, SC 29115

On motion of Senator PEELER, the question was confirmation of Dr. Hutto.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Dr. Hutto was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2009, and to expire June 30, 2013

5th Congressional District:

Ann B. Kirol, 1265 Rittenhouse Lane, Rock Hill, SC 29732 *VICE* Glenn McCall

On motion of Senator PEELER, the question was confirmation of Ms. Kirol.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Ms. Kirol was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2009, and to expire June 30, 2013

4th Congressional District:

L. Clarence Batts, Jr., 105 Rockport Way, Pacolet, SC 29372 *VICE* Dr. M. David Mitchell

On motion of Senator PEELER, the question was confirmation of Mr. Batts.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Mr. Batts was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2009, and to expire June 30, 2013

2nd Congressional District:

Robert Kenyon Wells, 120 Morning Shore Court, Lexington, SC 29072 *VICE* Henry Scott

On motion of Senator PEELER, the question was confirmation of Mr. Wells.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

**Total--0**

The appointment of Mr. Wells was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2009, and to expire June 30, 2013

At-Large:

Allen Amsler, 118 Harbra Court, Lexington, SC 29072 *VICE* Paul “Bo” Aughtry III

On motion of Senator PEELER, the question was confirmation of Mr. Amsler.

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

**Ayes 35; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey McGill

Nicholson O’Dell Peeler

Rose Ryberg Scott

Sheheen Shoopman Thomas

Verdin Williams

**Total--35**

**NAYS**

**Total--0**

**Statement by Senator SETZLER**

I abstained from consideration of and voting on matters pertaining to the confirmation of Mr. Amsler.

The appointment of Mr. Amsler was confirmed.

**MOTION ADOPTED**

On motion of Senators LARRY MARTIN, ALEXANDER and HAYES, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Richard H. Gettys of Easley, S.C., longtime educator, retired Principal of Easley High School, retired Superintendent of the School District of Pickens County, and long- serving member of the Combined Utility System of Easley, who died on Sunday, April 10, 2011.

**ADJOURNMENT**

At 2:11 P.M., on motion of Senator LARRY MARTIN, the Senate adjourned to meet tomorrow at 2:00 P.M.

\* \* \*