**Wednesday, February 22, 2012**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

The Psalmist declares:

“Have mercy on me, O God, according to your unfailing love; according to your great compassion blot out my transgressions. Wash away all my iniquity and cleanse me from my sin.” (Psalm 51:1-2)

Friends, please join me as we bow in prayer:

Holy God, as those who wish to honor You, it is always fitting for us to pause and to reflect on how we live our lives, how we spend our time, and how far short we fall of Your expectations of us. We do acknowledge our sinfulness, Lord, even here in the Senate of South Carolina. We beseech You to forgive us for our failures to be the women and men You would have us be. By Your grace enable us always to live and to serve more faithfully. In Your precious name we pray, dear Lord.

Amen.

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

**Doctor of the Day**

Senators LEVENTIS and LAND introduced Dr. Gary Culbertson of Sumter, S.C., Doctor of the Day.

**Leave of Absence**

At 2:05 P.M., Senator SHANE MARTIN requested a leave of absence beginning at 8:00 P.M. this evening and lasting until 4:00 P.M. on Monday.

**Leave of Absence**

At 3:30 P.M., Senator THOMAS requested a leave of absence from 3:45 - 6:00 P.M.

**Leave of Absence**

At 5:20 P.M., Senator COURSON requested a leave of absence until 7:00 P.M.

**Leave of Absence**

On motion of Senator LEATHERMAN, at 5:29 P.M., Senator McCONNELL was granted a leave of absence for the balance of the day.

**Leave of Absence**

At 6:23 P.M., Senator KNOTTS requested a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator BRYANT, at 6:42 P.M., Senator RYBERG was granted a leave of absence until 10:00 A.M. on Thursday, February 23, 2012.

**Leave of Absence**

At 6:42 P.M., Senator FAIR requested a leave of absence for the balance of the day.

**Leave of Absence**

At 6:42 P.M., Senator McGILL requested a leave of absence until 7:42 P.M.

**Leave of Absence**

At 6:46 P.M., Senator JACKSON requested a leave of absence for Senators JACKSON and FORD until 11:00 A.M. on Thursday, February 23, 2012.

**Leave of Absence**

At 7:00 P.M., Senator CLEARY requested a leave of absence until 7:00 A.M. in the morning.

**Leave of Absence**

At 7:00 P.M., Senator CROMER requested a leave of absence until 8:00 P.M. this evening.

**CO-SPONSORS ADDED**

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

S. 11 Sen. Alexander

S. 27 Sen. Knotts

S. 419 Sen. Knotts

S. 501 Sen. Knotts

S. 872 Sen. Alexander

S. 1213 Sens. Larry Martin, Scott

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4251

Promulgated by Board of Examiners in Psychology

Continuing Education Credits

Received by Lt. Governor February 7, 2012

Referred to Senate Committee on Medical Affairs

Legislative Review Expiration June 6, 2012

Withdrawn and resubmitted February 22, 2012

**REGULATION RECALLED AND COMMITTED**

Document No. 4240

Agency: Department of Labor, Licensing and Regulation - Soil Classifiers Advisory Council

Chapter: 116

Statutory Authority: 1976 Code Section 40-65-10

SUBJECT: Requirements of Licensure for Soil Classifiers

Received by Lieutenant Governor February 7, 2012

Referred to Agriculture and Natural Resources Committee

Legislative Review Expiration June 6, 2012

Recalled from Agriculture and Natural Resources February 22, 2012

Committed to Labor, Commerce and Industry February 22, 2012

**Motion Adopted**

On motion of Senator SHANE MARTIN, with unanimous consent, Senators CLEARY, FORD, LOURIE, CAMPBELL and BRIGHT were granted leave to attend a meeting and were granted leave to vote from the balcony.

**RECALLED**

S. 1237 -- Senator Courson: A CONCURRENT RESOLUTION TO DECLARE MARCH 2012 AS “HOME SCHOOL RECOGNITION MONTH” IN SOUTH CAROLINA, TO RECOGNIZE THE DILIGENT EFFORTS OF HOME SCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, AND TO EXPRESS SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL‑BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN.

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

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

**RECALLED**

S. 1063 -- Senator Peeler: A BILL TO AMEND SECTION 7‑7‑160, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN CHEROKEE COUNTY, SO AS TO REVISE AND RENAME CERTAIN PRECINCTS AND REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

Senator PEELER 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. 1243 -- Senators McConnell, Malloy, Rose, Land, Setzler and L. Martin: A BILL TO AMEND TITLE 62, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA PROBATE CODE, SO AS TO, AMONG OTHER THINGS, DEFINE THE JURISDICTION OF THE PROBATE CODE, TO DETERMINE INTESTATE SUCCESSION, TO PROVIDE FOR THE PROCESS OF EXECUTING A WILL, TO PROVIDE FOR THE PROCESS TO PROBATE AND ADMINISTER A WILL, TO PROVIDE FOR LOCAL AND FOREIGN PERSONAL REPRESENTATIVES, TO PROVIDE FOR THE PROTECTION OF PERSONS WITH DISABILITIES, TO PROVIDE FOR THE GOVERNANCE OF NONPROBATE TRANSFERS, AND TO AMEND THE SOUTH CAROLINA TRUST CODE; AND TO AMEND CHAPTER 6, TITLE 27, RELATING TO THE RULE AGAINST PERPETUITIES, SO AS TO PROVIDE THAT NO RULE AGAINST PERPETUITIES SHALL BE IN FORCE IN THIS STATE.

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Senator McCONNELL spoke on the Bill.

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

S. 1244 -- Senator S. Martin: A BILL TO AMEND CHAPTER 3, TITLE 29 OF THE 1976 CODE, RELATING GENERALLY TO MORTGAGES AND DEEDS OF TRUST, BY ADDING SECTION 29-3-110 TO REQUIRE NOTICE TO A MORTGAGE HOLDER UPON A SALE OR OTHER TRANSFER OF INTEREST IN THE PROPERTY SUBJECT TO THE MORTGAGE TO A BUSINESS ENTITY IF THE MORTGAGOR HAS AN INTEREST IN THE BUSINESS ENTITY ACQUIRING AN INTEREST IN THE PROPERTY.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 1245 -- Senators Setzler, Massey and Ryberg: A BILL TO AMEND SECTION 47-9-710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF EQUINE LIABILITY IMMUNITY, SO AS TO INCLUDE TRAIL RIDING IN THE DEFINITION OF “EQUINE ACTIVITY” AND TO EXPAND THE DEFINITION OF “EQUINE ACTIVITY SPONSOR” TO INCLUDE A LANDOWNER WHO HAS GIVEN PERMISSION FOR THE USE OF HIS LAND FOR AN EQUINE ACTIVITY; AND TO AMEND SECTION 47-9-730, RELATING TO WARNING SIGNS REQUIRED TO BE POSTED BY EQUINE PROFESSIONALS AND EQUINE ACTIVITY SPONSORS, SO AS TO INCLUDE A REQUIREMENT THAT WARNING SIGNS ARE TO BE POSTED AT THE ENTRANCE TO RIDING TRAILS.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1246 -- Senators Lourie and McConnell: A BILL TO AMEND SECTION 47-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRUELTY TO ANIMALS, SO AS TO REVISE CERTAIN CRIMINAL PENALTIES.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1247 -- Senators Alexander, Rankin and Hutto: A BILL TO AMEND SECTION 58-3-250 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO ALLOW THE PUBLIC SERVICE COMMISSION TO SERVE A FINAL ORDER OR DECISION BY ELECTRONIC SERVICE, REGISTERED MAIL, OR CERTIFIED MAIL.

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

S. 1248 -- Senator Coleman: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GARY FREEMAN OF WINNSBORO, PIT MASTER OF CAN’T QUIT SMOKING, ON HIS TEAM’S FIRST-PLACE FINISH IN THE 2011 SOUTH CAROLINA BARBEQUE ASSOCIATION MASTER BARBEQUE COMPETITION, AND TO CONGRATULATE MR. FREEMAN AND HIS FELLOW CHEFS ON BEING NAMED 2011 SOUTH CAROLINA STATE CHAMPION BARBEQUE TEAM.

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The Senate Resolution was adopted.

S. 1249 -- Senator Coleman: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GEORGE KING OF WINNSBORO, PIT MASTER OF CAN’T QUIT SMOKING, ON HIS TEAM’S FIRST-PLACE FINISH IN THE 2011 SOUTH CAROLINA BARBEQUE ASSOCIATION MASTER BARBEQUE COMPETITION, AND TO CONGRATULATE MR. KING AND HIS FELLOW CHEFS ON BEING NAMED 2011 SOUTH CAROLINA STATE CHAMPION BARBEQUE TEAM.

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The Senate Resolution was adopted.

S. 1250 -- Senator Fair: A CONCURRENT RESOLUTION MEMORIALIZING THE MEMBERS OF THE UNITED STATES CONGRESS TO PROPOSE THE PARENTAL RIGHTS AMENDMENT TO THE STATES FOR RATIFICATION.

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

S. 1251 -- Senator Fair: A CONCURRENT RESOLUTION RECOGNIZING THE DESTRUCTIVE AND INSIDIOUS NATURE OF UNITED NATIONS AGENDA 21 AND REJECTING ITS RADICAL POLICIES AND ANY GRANT MONIES ATTACHED TO IT.

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The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

S. 1252 -- Senator Fair: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND SYLVIA GUY KITCHENS OF RICHLAND COUNTY UPON THE OCCASION OF HER RETIREMENT FROM THE SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

H. 4749 -- Rep. Thayer: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF MOTOR VEHICLES NAME ITS HEADQUARTERS BUILDING LOCATED AT 10311 WILSON BOULEVARD, BLYTHEWOOD, SOUTH CAROLINA THE “COLONEL AND MRS. CHARLES P. MURRAY, JR. BUILDING”.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 11 -- Senators McConnell, Cromer, McGill, Rose, Peeler, Grooms, Campsen and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, ENACTING THE “TAXPAYER FAIRNESS ACT” BY ADDING SECTION 12‑4‑397 SO AS TO PROVIDE THE MANNER IN WHICH THE SOUTH CAROLINA DEPARTMENT OF REVENUE MUST INTERPRET TAX STATUTES OF THIS STATE, TO PROVIDE THAT TERMS IN THE TAX STATUTES OF THIS STATE MAY NOT BE GIVEN BROADER MEANING THAN INTENDED BY POLICY DOCUMENTS AND REGULATIONS OF THE DEPARTMENT OF REVENUE, TO PROVIDE THAT AMBIGUITY IN TAX STATUTES MUST BE RESOLVED IN FAVOR OF THE TAXPAYER, TO REQUIRE THE DEPARTMENT TO REPORT AMBIGUITIES TO CERTAIN MEMBERS OF THE GENERAL ASSEMBLY, AND TO DEFINE “TAX STATUTES OF THIS STATE”.

Ordered for consideration tomorrow.

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

S. 41 -- Senators McConnell, Rankin and Ford: A BILL TO AMEND SECTION 23‑3‑210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSING PERSON INFORMATION CENTER, SO AS TO CHANGE THE DEFINITION OF “MISSING CHILD” AND “MISSING PERSON”.

Ordered for consideration tomorrow.

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

S. 43 -- Senators McConnell, Ford and Knotts: A BILL TO AMEND SECTION 39‑5‑37, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF A NAME TO MISREPRESENT THE GEOGRAPHICAL LOCATION OF A BUSINESS AS AN UNLAWFUL TRADE PRACTICE, SO AS TO MAKE IT AN UNLAWFUL TRADE PRACTICE TO PUBLISH IN A TELEPHONE ASSISTANCE DATABASE OR A PRINT ADVERTISEMENT AN INTENTIONALLY MISLEADING REPRESENTATION OF THE GEOGRAPHICAL LOCATION OF THE BUSINESS, AND TO PROVIDE AN EXCEPTION FOR PROVIDERS OF TELEPHONE SERVICES OR TELEPHONE DIRECTORIES.

Ordered for consideration tomorrow.

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

S. 426 -- Senators Hayes, Hutto, Grooms, Land and O’Dell: A BILL TO AMEND SECTION 12‑37‑2725, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANCELLATION OF A LICENSE PLATE AND REGISTRATION CERTIFICATE WHEN A VEHICLE OWNER MOVES OUT OF STATE AND THE PRORATED PROPERTY TAX REFUND DUE ON THAT CANCELLATION, SO AS TO ALLOW THE APPROPRIATE RECEIPT ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES TO SUBSTITUTE FOR THE ACTUAL LICENSE PLATE AND CERTIFICATE; TO AMEND SECTION 12‑39‑220, RELATING TO THE DISCOVERY OF UNTAXED PROPERTY FOR PURPOSES OF PROPERTY TAXES, SO AS TO PROVIDE THE DUTIES OF THE ASSESSOR WITH RESPECT TO THIS PROPERTY; AND TO AMEND SECTION 12‑54‑85, AS AMENDED, RELATING TO THE TIME LIMITS APPLICABLE FOR ASSESSING DELINQUENT TAXES, SO AS TO MAKE A CONFORMING AMENDMENT.

Ordered for consideration tomorrow.

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

S. 492 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑53‑45 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO FILE ELECTRONICALLY ALL DOCUMENTS RELATING TO THE ENFORCED COLLECTION OF TAXES DUE THIS STATE WITH COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS IN THOSE COUNTIES WHICH ACCEPT ELECTRONIC FILINGS.

Ordered for consideration tomorrow.

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

S. 704 -- Senator S. Martin: A BILL TO AMEND SECTION 12‑59‑40 OF THE 1976 CODE, RELATING TO THE METHOD AND TERMS OF SALE OF FORFEITED LANDS, TO PROVIDE THAT A COUNTY TAX COLLECTOR MAY BID IN FOR THAT COUNTY’S FORFEITED LAND COMMISSION ON PROPERTY SOLD FOR NONPAYMENT OF AD VALOREM TAXES AND TO PROVIDE THAT LANDS DEEDED TO THE COMMISSION ARE ONLY COUNTY ASSETS, NOT STATE ASSETS, AND MUST BE SOLD TO THE BEST INTEREST OF THE COUNTY, NOT THE COUNTY AND THE STATE; TO AMEND SECTION 12‑59‑50, RELATING TO THE APPLICATION TO THE COMMISSION FOR APPROVAL TO SELL FORFEITED LAND BY THE FORMER OWNER, TO REMOVE REFERENCES TO DELINQUENT STATE TAXES; TO AMEND SECTION 12‑59‑70, RELATING TO THE CONVEYANCE OF PROPERTY BY THE COMMISSION OF FORFEITED LAND SOLD BY THE FORMER OWNER, TO PROVIDE THAT THE COUNTY TAX COLLECTOR, RATHER THAN THE SHERIFF, MUST DELIVER THE TITLE TO THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12‑59‑80, RELATING TO THE ASSIGNMENT OF COMMISSION BIDS, TO PROVIDE THAT THE CHAIRMAN OF A COUNTY FORFEITED LAND COMMISSION MAY ACCEPT BIDS FOR ASSIGNMENTS OF THE COMMISSION’S BIDS; TO AMEND SECTION 12‑59‑90, RELATING TO THE EXECUTION OF DEEDS AND VALIDATION OF CERTAIN DEEDS, TO PROVIDE THAT THE COUNTY TAX COLLECTOR MAY EXECUTE A DEED TO THE PURCHASER OF PROPERTY BID IN BY THE COUNTY TAX COLLECTOR FOR THAT COUNTY’S FORFEITED LAND COMMISSION ON PROPERTY SOLD FOR NONPAYMENT OF AD VALOREM TAXES; TO AMEND SECTION 12‑59‑100, RELATING TO THE DISPOSITION OF PROCEEDS FROM THE SALE OF FORFEITED PROPERTY, TO PROVIDE THAT THE NET PROCEEDS MUST GO TO THE COUNTY IN WHICH THE PROPERTY IS LOCATED; AND TO REPEAL SECTION 12‑59‑30.

Ordered for consideration tomorrow.

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

S. 731 -- Senators Scott and Jackson: A BILL TO AMEND SECTION 5‑7‑200, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR FORFEITURE OF THE OFFICE OF MAYOR OR COUNCILMAN AND THE FILLING OF A VACANCY IN EITHER OFFICE, SO AS TO PROVIDE AN ADDITIONAL PERIOD OF TIME THAT MAY BE UTILIZED TO FILL A VACANCY IN EITHER OFFICE.

Ordered for consideration tomorrow.

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

S. 732 -- Senators Pinckney, Knotts, Scott, Peeler, Fair, Cleary, Ford, Nicholson, Williams, Hutto, Elliott, Alexander, Matthews, Land, Setzler, Campbell, Hayes, McConnell, Davis, Thomas, Rose and Lourie: A BILL TO AMEND SECTION 16‑11‑523, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OBTAINING NONFERROUS METALS UNLAWFULLY, SO AS TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS PROVISION; TO AMEND SECTION 16‑17‑680, AS AMENDED, RELATING TO THE PURCHASE OF NONFERROUS METALS, PROCEDURES AND REQUIREMENTS FOR PURCHASE OF NONFERROUS METALS, AND EXCEPTIONS, SO AS TO PROVIDE ADDITIONAL RESTRICTIONS RELATED TO THE SALE OF COPPER; TO AMEND SECTION 16‑17‑685, RELATING TO THE UNLAWFUL TRANSPORTATION OF NONFERROUS METALS, SO AS TO INCREASE THE PENALTIES FOR CERTAIN VIOLATIONS OF THIS PROVISION; AND BY ADDING CHAPTER 40 TO TITLE 40 SO AS TO REQUIRE SECONDARY METALS RECYCLERS TO REGISTER WITH THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, AND TO PROVIDE REGISTRATION AND RENEWAL REQUIREMENTS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the General Committee submitted a favorable report on:

S. 872 -- Senators Knotts, Rose, Reese, O’Dell, Verdin, Rankin, Bryant, Malloy, McConnell, Scott, Grooms, Fair, Campbell, Elliott, Setzler, McGill, Davis, Williams, Pinckney, Cromer, Hayes, Land, Jackson, Lourie, Nicholson, Matthews, L. Martin and Alexander: A BILL TO AMEND SECTION 25‑1‑590, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RETIREMENT OF MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD, SO AS TO EXTEND THE RETIREMENT HONORARY PROMOTION PROVISIONS TO HONORABLY DISCHARGED SERVICE MEMBERS WHO ARE REMOVED FROM THE NATIONAL GUARD DUE TO MEDICAL CONDITIONS, AND TO PROVIDE THAT THE EXPANDED HONORARY PROMOTION ELIGIBILITY DESCRIBED ABOVE IS TO BE APPLIED RETROACTIVELY.

Ordered for consideration tomorrow.

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

S. 1029 -- Senator L. Martin: A BILL TO AMEND SECTION 50‑1‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GEOGRAPHIC BOUNDARIES OF CERTAIN BODIES OF WATER, SO AS TO GIVE A NUMERICAL DESIGNATION TO EACH BODY OF WATER ENUMERATED IN THE SECTION AND TO MAKE OTHER TECHNICAL CHANGES TO THE SECTION.

Ordered for consideration tomorrow.

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

S. 1055 -- Senators McConnell and Ford: A BILL TO AMEND SECTION 14‑27‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE JUDICIAL COUNCIL, SO AS TO PROVIDE FOR TWO ADDITIONAL MEMBERS OF THE COUNCIL, THE CHIEF JUDGE OF THE SOUTH CAROLINA COURT OF APPEALS, AND A PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW, TO CHANGE THE PERSON SERVING FROM THE SOUTH CAROLINA BAR FROM THE PRESIDENT OF THE SOUTH CAROLINA BAR TO ONE PERSON RECOMMENDED BY THE SOUTH CAROLINA BAR, AND TO ADD AS A MEMBER, A MUNICIPAL COURT JUDGE IN LIEU OF ONE OF THE TWO MAGISTRATE COURT JUDGES; TO AMEND SECTION 14‑27‑30 RELATING TO THE CHIEF JUSTICE APPOINTING A PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW AND APPOINTING THE SUMMARY COURT JUDGES; AND TO AMEND SECTION 14‑27‑40 RELATING TO THE TERMS OF SERVICE, SO AS TO PROVIDE THAT THE CHIEF JUDGE SERVES DURING THE TERM OF HIS OFFICE, AND THE PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW SERVES FOR A FOUR-YEAR TERM.

Ordered for consideration tomorrow.

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

S. 1087 -- Senators Jackson, Cromer, Grooms, Ford, Scott, Elliott, Setzler, Land, Pinckney, Anderson, Ryberg, Matthews, Rankin and Verdin: A BILL TO AMEND SECTION 50‑9‑730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES’ ABILITY TO DESIGNATE “FREE FISHING DAYS” AND SANCTION FISHING EVENTS EXEMPT FROM FISHING LICENSE REQUIREMENTS, SO AS TO DELETE THE PROVISION THAT ALLOWS THE DEPARTMENT TO DESIGNATE “FREE FISHING DAYS”, TO DESIGNATE JULY FOURTH AND MEMORIAL DAY AS DAYS WHEN A RESIDENT IS NOT REQUIRED TO POSSESS A LICENSE OR PERMIT FOR FRESHWATER RECREATIONAL FISHING, TO LIMIT DEPARTMENT‑SANCTIONED EVENTS THAT ARE EXEMPT FROM FISHING LICENSE REQUIREMENTS TO FRESHWATER EVENTS, AND TO EXEMPT CERTAIN COMMERCIAL FISHERMEN FROM THE PROVISIONS CONTAINED IN THIS SECTION.

Ordered for consideration tomorrow.

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

S. 1088 -- Senators McConnell and Ford: A BILL TO AMEND STATUTES CREATING CERTAIN BOARDS AND COMMISSIONS WHOSE MEMBERS ARE APPOINTED OR ELECTED BY CONGRESSIONAL DISTRICT, WHICH ARE UNDER THE JURISDICTION OF THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE PURSUANT TO SOUTH CAROLINA SENATE RULE 19, RELATING TO THE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE PUBLIC SERVICE COMMISSION, THE PUBLIC SERVICE AUTHORITY, THE DIVISION FOR THE REVIEW OF THE FOSTER CARE OF CHILDREN, THE CHILDREN’S TRUST FUND OF SOUTH CAROLINA, AND THE BOARD OF JUVENILE PAROLE, NAMELY SECTION 1‑13‑40(B), SECTION 1‑31‑10, SECTION 8‑13‑310, SECTION 58‑3‑20, SECTION 58‑31‑20, SECTION 63‑11‑700, SECTION 63‑11‑920, AND SECTION 63‑19‑610 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO INCLUDE THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 1158 -- Senator Verdin: A BILL TO AMEND SECTION 6-19-30 OF THE 1976 CODE, RELATING TO WATER AND SEWER AUTHORITIES, DISTRICTS, OR SYSTEMS, TO INCREASE THE NUMBER OF MEMBERS ON THE ADVISORY COMMITTEE TO REFLECT THE ADDITION OF THE NEW CONGRESSIONAL DISTRICT; TO AMEND SECTION 48-39-40, RELATING TO THE COASTAL ZONE MANAGEMENT APPELLATE PANEL, TO INCREASE THE NUMBER OF MEMBERS TO REFLECT THE ADDITION OF THE NEW CONGRESSIONAL DISTRICT; TO AMEND SECTION 48-59-40, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK, TO ADD TWO SEATS TO THE BANK’S BOARD, ONE MEMBER TO REPRESENT THE SEVENTH CONGRESSIONAL DISTRICT APPOINTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE, AND ONE MEMBER FROM THE STATE AT LARGE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND TO AMEND SECTION 40-69-10, RELATING TO THE STATE BOARD OF VETERINARY EXAMINERS, TO INCREASE THE NUMBER OF MEMBERS TO REFLECT THE ADDITION OF THE NEW CONGRESSIONAL DISTRICT.

Ordered for consideration tomorrow.

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

S. 1196 -- Senators Jackson, Ford, Courson, Hutto, Williams, Sheheen, Massey, Lourie, McGill, Scott, Nicholson, Matthews, Anderson, Gregory, Coleman, Setzler and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑616 SO AS TO PROVIDE THAT THE MONTH OF FEBRUARY OF EVERY YEAR IS DESIGNATED AFRICAN AMERICAN HISTORY MONTH IN SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator ALEXANDER from the General Committee submitted a favorable report on:

S. 1211 -- Senator Alexander: A BILL TO AMEND SECTION 43‑31‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE STATE AGENCY OF VOCATIONAL REHABILITATION, SO AS TO INCLUDE IN THE AGENCY’S MEMBERSHIP THE APPOINTMENT OF A MEMBER TO REPRESENT THE SEVENTH CONGRESSIONAL DISTRICT, TO ELIMINATE THE AT-LARGE AGENCY MEMBER, AND TO FURTHER PROVIDE FOR THE AGENCY’S TRANSITION FROM SIX TO SEVEN CONGRESSIONAL DISTRICT MEMBERS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the General Committee submitted a favorable report on:

S. 1212 -- Senator Alexander: A BILL TO AMEND SECTION 43‑25‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION AND MEMBERSHIP OF THE COMMISSION OF THE BLIND, SO AS TO INCLUDE IN THE COMMISSION’S MEMBERSHIP THE APPOINTMENT OF A MEMBER TO REPRESENT THE SEVENTH CONGRESSIONAL DISTRICT, TO ELIMINATE THE STATE AT‑LARGE COMMISSION MEMBER, AND TO FURTHER PROVIDE FOR THE COMMISSION’S TRANSITION FROM SIX TO SEVEN CONGRESSIONAL DISTRICT MEMBERS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the General Committee submitted a favorable report on:

S. 1213 -- Senators Alexander, L. Martin and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 2 SO AS TO ESTABLISH THE STATE OF SOUTH CAROLINA MEDAL OF VALOR TO RECOGNIZE SOUTH CAROLINIANS, OR INDIVIDUALS WITH CERTAIN TIES TO SOUTH CAROLINA, WHO WERE KILLED IN ACTION WHILE SERVING IN THE ARMED FORCES OF THE UNITED STATES OF AMERICA; TO PROVIDE FOR THE SOUTH CAROLINA MEDAL OF VALOR ROLL; AND TO ESTABLISH THE SOUTH CAROLINA MEDAL OF VALOR AWARD CRITERIA.

Ordered for consideration tomorrow.

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable report on:

H. 3333 -- Reps. Sandifer, Toole, Bowers, Hayes, Erickson and Brady: A BILL TO AMEND SECTION 38‑1‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38 RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO AMEND THE DEFINITION OF “ADMITTED ASSETS” TO INCLUDE THOSE ON THE MOST RECENT STATUTORY FINANCIAL STATEMENT OF THE INSURER FILED WITH THE DEPARTMENT OF INSURANCE PURSUANT TO THE PROVISIONS OF SECTION 38‑13‑80; TO AMEND SECTION 38‑9‑10, RELATING TO CAPITAL AND SURPLUS REQUIRED OF STOCK INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES THAT MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38‑9‑20, RELATING TO THE SURPLUS REQUIRED OF MUTUAL INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES WHICH MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38‑9‑210, RELATING TO THE REDUCTION FROM LIABILITY FOR THE REINSURANCE CEDED BY A DOMESTIC INSURER, SO AS TO CHANGE THE SECURITIES LISTED THAT QUALIFY AS SECURITY; TO AMEND SECTION 38‑10‑40, RELATING TO THE PROTECTED CELL ASSETS OF A PROTECTED CELL, SO AS TO CHANGE A CODE REFERENCE; TO AMEND SECTION 38‑33‑130, RELATING TO THE SECURITY DEPOSIT OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO DELETE THE REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL ISSUE A CONVERSION POLICY TO AN ENROLLEE UPON THE TERMINATION OF THE ORGANIZATION; AND TO AMEND SECTION 38‑55‑80, RELATING TO LOANS TO DIRECTORS OR OFFICERS BY AN INSURER, SO AS TO CHANGE A CODE REFERENCE.

Ordered for consideration tomorrow.

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

H. 3342 -- Reps. Harrison and Weeks: A BILL TO AMEND SECTION 56-1-286, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OR DENIAL OF ISSUANCE OF A DRIVER’S LICENSE OR PERMIT TO OPERATE A MOTOR VEHICLE TO CERTAIN PERSONS WHO DRIVE A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO DELETE THE TERM “ADMINISTRATIVE HEARING” AND REPLACE IT WITH THE TERM “CONTESTED CASE HEARING”, TO PROVIDE THAT A CONTESTED CASE HEARING MUST BE HELD BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS PURSUANT TO ITS RULES OF PROCEDURE, AND TO DELETE THE TERM “DIVISION OF MOTOR VEHICLE HEARINGS” AND REPLACE IT WITH THE TERM “OFFICE OF MOTOR VEHICLE HEARINGS”; TO AMEND SECTION 56‑5‑2942, AS AMENDED, RELATING TO VEHICLE IMMOBILIZATION AFTER A CONVICTION FOR DRIVING A VEHICLE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANOTHER ILLEGAL SUBSTANCE, SO AS TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT OF MOTOR VEHICLES MAY RELEASE AN IMMOBILIZED VEHICLE REGISTERED TO A PERSON WHO HAS NOT BEEN CONVICTED OF DRIVING A VEHICLE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANOTHER UNLAWFUL SUBSTANCE; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE OR PERMIT FOR HIS REFUSAL TO SUBMIT TO A TEST TO DETERMINE HIS LEVEL OF ALCOHOL CONCENTRATION, SO AS TO DELETE THE TERM “ADMINISTRATIVE HEARING” AND REPLACE IT WITH THE TERM “CONTESTED CASE HEARING”, TO PROVIDE THAT ADMINISTRATIVE HEARINGS ARE HELD BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS AND NOT THE DEPARTMENT OF MOTOR VEHICLES, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES IS RESPONSIBLE FOR SENDING A HEARING OFFICER’S DECISION TO A PERSON WHO IS ELIGIBLE TO RECEIVE A RESTRICTED LICENSE PURSUANT TO THIS SECTION; AND TO AMEND SECTION 56‑5‑2952, AS AMENDED, RELATING TO THE FILING FEE TO REQUEST A CONTESTED CASE HEARING BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS, SO AS TO INCREASE THE FEE, TO DELETE THE TERM “ADMINISTRATIVE LAW COURT” AND REPLACE IT WITH THE TERM “OFFICE OF MOTOR VEHICLE HEARINGS”, AND REVISE THE PROCEDURE FOR DISTRIBUTING FUNDS GENERATED FROM THE COLLECTION OF THESE FEES.

Ordered for consideration tomorrow.

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

H. 3392 -- Reps. Clemmons, Sellers, Allen, G.M. Smith and Weeks: A BILL TO AMEND SECTION 7‑13‑35, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICE FOR GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE POSTED TIME AT WHICH ABSENTEE BALLOTS MAY BEGIN TO BE EXAMINED FROM 2:00 P.M. TO 9:00 A.M. AND TO REQUIRE NOTIFICATION OF THE DATE THE MAKE‑UP ELECTION WILL BE HELD IN THE EVENT OF INCLEMENT WEATHER OR OTHER EMERGENCY; TO AMEND SECTION 7‑13‑40, AS AMENDED, RELATING TO THE DATE BY WHICH THE PARTY CHAIRMAN, VICE CHAIRMAN, OR SECRETARY MUST PROVIDE WRITTEN CERTIFICATION OF THE CANDIDATES’ NAMES TO THE STATE ELECTION COMMISSION, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7‑13‑190, AS AMENDED, RELATING TO SPECIAL ELECTIONS, SO AS TO PROVIDE THAT IF THE GOVERNOR DECLARES A STATE OF EMERGENCY COVERING AN ENTIRE JURISDICTION HOLDING AN ELECTION, THE ELECTION MUST BE POSTPONED AND HELD ON THE NEXT TUESDAY; AND TO AMEND SECTION 7‑13‑350, AS AMENDED, RELATING TO THE CERTIFICATION OF CANDIDATES, SO AS TO CHANGE THE DATE BY WHICH CANDIDATES FOR PRESIDENT AND VICE PRESIDENT MUST BE CERTIFIED TO THE STATE ELECTION COMMISSION FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY IN SEPTEMBER.

Ordered for consideration tomorrow.

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

H. 3393 -- Rep. Sandifer: A BILL TO AMEND SECTION 32‑8‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY SERVE AS A DECEDENT’S AGENT TO AUTHORIZE CREMATION, SO AS TO FURTHER PROVIDE FOR THOSE PERSONS WHO IN ORDER OF PRIORITY MAY AUTHORIZE CREMATION.

Ordered for consideration tomorrow.

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

H. 3607 -- Reps. Harrison, Weeks and McLeod: A BILL TO AMEND SECTION 22‑5‑190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENDORSEMENT AND EXECUTION OF WARRANTS ISSUED IN OTHER COUNTIES OR BY MUNICIPAL AUTHORITIES, SO AS TO PROVIDE A WARRANT IS NOT REQUIRED TO BE ENDORSED BY A MAGISTRATE IN THE COUNTY WHERE A PERSON CHARGED WITH A CRIME RESIDES OR WHERE HE IS LOCATED, TO PROVIDE PROCEDURES FOR SERVING A WARRANT, AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

H. 3711 -- Reps. Sandifer, Hayes and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑61‑210 SO AS TO PROVIDE THAT AN ENTITY THAT CONTRACTS WITH AN AUTOMOBILE CLUB LICENSED UNDER THE MOTOR CLUB SERVICES ACT FOR THE PROVISIONS OF EMERGENCY ROAD SERVICE AND TOWING SERVICE TO THE ENTITY’S CUSTOMERS IS EXEMPT FROM ALL REQUIREMENTS OF THE MOTOR CLUB SERVICES ACT.

Ordered for consideration tomorrow.

Senator THOMAS from the Committee on Banking and Insurance submitted a majority favorable with amendment and Senator FORD a minority unfavorable report on:

H. 4042 -- Reps. Harrison, Brady, Pinson, H.B. Brown, Munnerlyn, Viers, Horne and Hardwick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑5‑31 SO AS TO MAKE IT AN UNFAIR TRADE PRACTICE FOR A MOTOR VEHICLE GLASS REPAIR BUSINESS THAT ADMINISTERS INSURANCE CLAIMS FOR MOTOR VEHICLE GLASS REPAIRS TO HAVE AN INSURED’S GLASS REPAIR BUSINESS REFERRED TO ITSELF OR TO USE INFORMATION TO SOLICIT BUSINESS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4475 -- Reps. Young, Clyburn, Taylor, Hixon, Frye, Southard, Clemmons and Hardwick: A BILL TO AMEND SECTION 47‑9‑710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF EQUINE LIABILITY IMMUNITY, SO AS TO INCLUDE TRAIL RIDING IN THE DEFINITION OF “EQUINE ACTIVITY”; AND TO AMEND SECTION 47‑9‑730, RELATING TO WARNING SIGNS REQUIRED TO BE POSTED BY EQUINE PROFESSIONALS AND EQUINE ACTIVITY SPONSORS, SO AS TO INCLUDE A REQUIREMENT THAT WARNING SIGNS ARE TO BE POSTED AT THE ENTRANCE TO RIDING TRAILS.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 1000 -- Senator Peeler: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 92 ALONG INTERSTATE HIGHWAY 85 IN CHEROKEE COUNTY “LANCE CORPORAL CHRISTOPHER S. FOWLKES MEMORIAL INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “LANCE CORPORAL CHRISTOPHER S. FOWLKES MEMORIAL INTERCHANGE”.

Returned with concurrence.

Received as information.

**Message from the House**

Columbia, S.C., February 22, 2012

Mr. President and Senators:

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

H. 3583 -- Rep. Cooper: A BILL TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2010.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., February 22, 2012

Mr. President and Senators:

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

H. 3750 -- Reps. Viers and Vick: A BILL TO AMEND SECTION 17‑5‑530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A CORONER’S DUTIES WHEN A PERSON DIES, INCLUDING WHERE AN AUTOPSY MUST BE PERFORMED IF A PERSON DIES IN A HEALTH CARE FACILITY WITHIN TWENTY‑FOUR HOURS OF ENTERING THE FACILITY OR WITHIN TWENTY‑FOUR HOURS OF UNDERGOING AN INVASIVE SURGICAL PROCEDURE, SO AS TO PROVIDE THAT UNLESS THE CORONER CERTIFIES THAT THERE IS NO REASONABLE ALTERNATIVE, THE AUTOPSY MUST NOT BE PERFORMED AT THE HEALTH CARE FACILITY WHERE THE DEATH OCCURRED OR BY A PHYSICIAN WHO TREATED THE PATIENT OR WHO WAS EMPLOYED BY THE HEALTH CARE FACILITY WHERE THE DEATH OCCURRED.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., February 22, 2012

Mr. President and Senators:

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

H. 4447 -- Reps. Forrester, Allison, Chumley, Tallon and Parker: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE MIDDLE TYGER RIVER ALONG SOUTH CAROLINA HIGHWAY 296 IN SPARTANBURG COUNTY “U.S. ARMY CAPTAIN JOHN DAVID HORTMAN BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS “U.S. ARMY CAPTAIN JOHN DAVID HORTMAN BRIDGE”

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., February 22, 2012

Mr. President and Senators:

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

H. 4003 -- Rep. Agnew: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTIONS OF SOUTH CAROLINA HIGHWAY 28 AND THE ABBEVILLE/ANDERSON COUNTY LINE, SOUTH CAROLINA HIGHWAY 28 AND THE ABBEVILLE/MCCORMICK COUNTY LINE, AND SOUTH CAROLINA HIGHWAY 72 AND THE ABBEVILLE/GREENWOOD COUNTY LINE THAT CONTAIN THE WORDS “ABBEVILLE HIGH SCHOOL PANTHERS 2010 CLASS A STATE FOOTBALL CHAMPIONS AND 2011 CLASS A STATE SOFTBALL CHAMPIONS”.

Respectfully submitted,

Speaker of the House

Received as information.

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

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill and Joint Resolution were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 4704 -- Rep. Agnew: A JOINT RESOLUTION TO POSTPONE UNTIL PROPERTY TAX YEAR 2012 THE IMPLEMENTATION OF THE REVISED VALUES DETERMINED IN THE MOST RECENT COUNTYWIDE APPRAISAL AND EQUALIZATION PROGRAM CONDUCTED IN ABBEVILLE COUNTY.

By prior motion of Senators O’DELL and NICHOLSON

H. 4722 -- Rep. Agnew: A BILL TO REAPPORTION THE SPECIFIC AREAS OR ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

By prior motion of Senators O’DELL and NICHOLSON

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

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

Appraiser:

Michael B. Dodds, 433 Press Lindler Road, Columbia, SC 29212

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2012, and to expire May 31, 2015

Appraiser:

Michael B. Dodds, 433 Press Lindler Road, Columbia, SC 29212

On motion of Senator RYBERG, the question was confirmation of Mr. Dodds.

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

**Ayes 44; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Ford Gregory Grooms

Hayes Hutto Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--44**

**NAYS**

**Total--0**

The appointment of Mr. Dodds was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2010, and to expire May 31, 2013

Appraiser:

George E. Knight, Jr., 4013 Kenilworth Road, Columbia, SC 29205 *VICE* Terrence O’Brien

On motion of Senator RYBERG, the question was confirmation of Mr. Knight.

**Objection**

Senator GROOMS asked unanimous consent to make a motion that the preceding vote be applied to the confirmation of Mr. Knight.

Senator McCONNELL objected.

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

**Ayes 45; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--45**

**NAYS**

**Total--0**

The appointment of Mr. Knight was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2010, and to expire May 31, 2013

Broker:

Annie R. King, 3901 S. Breck Ridge Circle, Florence, SC 29505

On motion of Senator RYBERG, the question was confirmation of Ms. King.

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

**Ayes 45; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--45**

**NAYS**

**Total--0**

The reappointment of Ms. King was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence September 1, 2010, and to expire September 1, 2014

Public:

Stephanie A. Nye, 2452 Hollingshed Road, Irmo, SC 29063 *VICE* Delores Gilmer

On motion of Senator RYBERG, the question was confirmation of Ms. Nye.

**Parliamentary Inquiry**

Senator CAMPSEN made a Parliamentary Inquiry as to whether or not a roll call vote was required as the statute does not require a roll call vote.

The PRESIDENT stated that the Rules of the Senate require a roll call vote unless waived by unanimous consent.

**Objection**

Senator GROOMS asked unanimous consent to make a motion that the preceding vote be applied to the confirmation of Ms. Nye.

Senator MALLOY objected.

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

**Ayes 46; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--46**

**NAYS**

**Total--0**

The appointment of Ms. Nye was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2011, and to expire March 20, 2015

Cosmetologist:

Cynthia T. Rodgers, 2731 Avalon Lane, Lancaster, SC 29720

On motion of Senator RYBERG, the question was confirmation of Ms. Rogers.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Hutto Jackson

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McConnell

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--43**

**NAYS**

**Total--0**

The appointment of Ms. Rogers was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2011, and to expire March 20, 2015

Esthetician:

Janice Curtis, 1500 Brentwood Way, Simpsonville, SC 29680 *VICE* Roseanne Kinley

On motion of Senator RYBERG, the question was confirmation of Ms. Curtis.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Davis Elliott Fair

Gregory Grooms Hayes

Knotts Leatherman Leventis

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Nicholson O'Dell Peeler

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Verdin

Williams

**Total--37**

**NAYS**

**Total--0**

The appointment of Ms. Curtis was confirmed.

Having received a favorable report from the Banking and Insurance Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence July 1, 2010, and to expire June 30, 2014

South Carolina Bankers Association:

Fleetwood S. Hassell, 30 New Street, Charleston, SC 29401 *VICE* Barry Slider

On motion of Senator THOMAS, the question was confirmation of Mr. Hassell.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Knotts Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--42**

**NAYS**

**Total--0**

The appointment of Mr. Hassell was confirmed.

Having received a favorable report from the Banking and Insurance Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2011, and to expire June 30, 2015

South Carolina Bankers Association:

Jim B. Apple, 1109 Enclave Way, Columbia, SC 29223 *VICE* H. Blake Gibbons, Jr.

On motion of Senator THOMAS, the question was confirmation of Mr. Apple.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McConnell McGill

Nicholson O'Dell Peeler

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

The appointment of Mr. Apple was confirmed.

**Consideration of Appointment Interrupted**

Having received a favorable report from the Medical Affairs Committee, the following appointment taken up for immediate consideration:

Initial Appointment, Director of Department of Health and Environmental Control

Catherine B. Templeton, 34 Saturday Rd., Mt. Pleasant, SC 29464

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

Senator LEVENTIS argued contra to the confirmation of Ms. Templeton.

**Objection**

At 5:29 P.M., with Senator LEVENTIS retaining the floor, Senator MALLOY asked unanimous consent to make a motion that the Senate stand adjourned.

Senator PEELER objected.

Senator LEVENTIS resumed arguing contra to the confirmation of Ms. Templeton.

**Motion Under Rule 15A Failed**

At 5:31 P.M., Senator LARRY MARTIN moved under Rule 15A to vote on the entire matter of the confirmation of Ms. Templeton.

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

**Ayes 19; Nays 15**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Cromer Davis Fair

Grooms Hayes *Martin, Larry*

*Martin, Shane* Massey O'Dell

Peeler Rose Shoopman

Verdin

**Total--19**

**NAYS**

Coleman Elliott Hutto

Jackson Land Leventis

Lourie Malloy Matthews

McGill Nicholson Reese

Scott Setzler Williams

**Total--15**

Not having received the necessary vote, the motion under Rule 15A failed.

**Objection**

At 5:35 P.M., with Senator LEVENTIS retaining the floor, Senator LOURIE asked unanimous consent to make a motion that the Senate stand adjourned.

Senator SHOOPMAN objected.

Senator LEVENTIS resumed arguing contra to the confirmation of Ms. Templeton.

**Point of Quorum**

At 6:04 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Bright Bryant

Campbell Campsen Coleman

Cromer Davis Elliott

Fair Gregory Grooms

Hayes Knotts Leventis

Malloy *Martin, Larry Martin, Shane*

Massey McGill Peeler

Rose Setzler Shoopman

Verdin

A quorum being present, the Senate resumed.

Senator LEVENTIS resumed arguing contra to the confirmation of Ms. Templeton.

**Point of Quorum**

At 6:35 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

In the absence of a quorum, Senator MALLOY moved that the Senate stand adjourned.

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

**Ayes 11; Nays 17**

**AYES**

Coleman Elliott Ford

Hutto Jackson Land

Leventis Malloy McGill

Nicholson Setzler

**Total--11**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cleary

Cromer Davis Fair

Gregory Grooms *Martin, Larry*

Massey Peeler Rose

Shoopman Verdin

**Total--17**

The Senate refused to adjourn.

Senator LEVENTIS resumed arguing contra to the confirmation of Ms. Templeton.

**Point of Quorum**

At 7:18 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

In the absence of a quorum, Senator PEELER moved that the Senate stand adjourned.

Debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senators KNOTTS, LAND and LEVENTIS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert L. Berry, Sr., 71, widower of Chieko Berry. Mr. Berry, an avid golfer, was retired from Fort Roofing and Sheet Metal Works after many years of service. He was a devoted father of 8, doting grandfather of 17 and great-grandfather of 10.

**ADJOURNMENT**

At 7:18 P.M., on motion of Senator PEELER, the Senate adjourned to meet tomorrow at 11:00 A.M.

**Recorded Vote**

Senators GROOMS, BRIGHT, DAVIS and ROSE desired to be recorded as voting against adjournment.

\* \* \*