**Tuesday, June 5, 2012**

**(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 ACTING PRESIDENT, Senator LEVENTIS.

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

After Moses had carried out all of God’s instructions, it was written of the Lord’s servant: “So Moses finished the work.”

(Exodus 40:33b)

Please join me as we bow in prayer:

Glorious Creator, Loving God, we are indeed inspired by Your servant, Moses: by his reported faithfulness, his diligence, and his steadfastness to Your commands. In the same manner, we do offer our thanks, Lord, for the work of these Senators. Although we cannot observe that everything which they have sought to accomplish has been “finished,” as with Moses, still, there have been successes that will benefit our State and her people. Help us to celebrate all of those. Now, O God, as You alone can, bless these servants in the remaining days of this term. In Your loving name we pray, dear Lord.

Amen.

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

**MOTION ADOPTED**

On motion of Senator COURSON, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet tomorrow at 10:30 A.M.

The motion was adopted.

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

Initial Appointment, Aiken County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Melanie James DuBose, 121 Academy Street, Monetta, SC 29105

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Douglas L. Novak, 181 Bluffton Road, Bluffton, SC 29910

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Chilton Grace Simmons, 15 Sunset Bluff, Beaufort, SC 29907

Initial Appointment, Chesterfield County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Diane W. Dyches, Post Office Box 115, Patrick, SC 29584

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2012, and to expire March 15, 2014

Joyce K. Hoffman, 100 Forestdale Drive, Taylors, SC 29687

Initial Appointment, Lee County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Shirley C. Davidson, 79 Garden Springs Drive, Bishopville, SC 29010 *VICE* Albert Bradley

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

Joseph S. Scarborough, Post Office Box 127, Lynchburg, SC 29080

Reappointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence June 30, 2012, and to expire June 30, 2016

Wilson Cain, 206 29th Ave. South, Myrtle Beach, SC 29577

Reappointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence June 30, 2012, and to expire June 30, 2016

City of Myrtle Beach:

Walt Whittier, 305 Sunset Trail, Myrtle Beach, SC 29577

Reappointment, York County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Robert Davenport, Jr., 2211 Zinker Road, Rock Hill, SC 29732

**REPORT RECEIVED**

Joint Transportation Review Committee

Post Office Box 142

Columbia, SC 29202-0142

June 1, 2012

The Honorable Jeffrey S. Gossett The Honorable Charles F. Reid

Clerk of the Senate Clerk of the House

S. C. Senate S. C. House of Representatives

Columbia, South Carolina Columbia, South Carolina

Re: Notice of Initial Findings of Qualifications

Dear Mr. Gossett and Mr. Reid:

The Joint Transportation Review Committee met on May 31, 2012, to consider the qualifications of applicants for the South Carolina Department of Transportation Commission.  The committee found the individuals listed below qualified to serve on the DOT Commission.

Third District:

Mr. Roy E. “Eddie” Adams of Seneca

Fifth District:

Mr. W.B. Cook of Gaffney

Mr. John W. Major of Blacksburg

Mr. Winston J. Smith of Lancaster

Unless otherwise notified, the JTRC will release a final report of qualifications at 1:00 p.m. on Tuesday, June 5, 2012.  Candidates may not solicit votes until after 1:00 p.m. on Tuesday, June 5, 2012.  Members of the General Assembly may not pledge their vote until after 1:00 p.m. on Tuesday, June 5, 2012.

Thank you for your attention to this matter.  Please do not hesitate to contact us if you have any questions.

Sincerely,

/s/Lawrence K. Grooms, Chairman

/s/James H. Lucas, Vice-Chairman

Senator GROOMS explained the report.

On motion of Senator GROOMS, the report was ordered printed in the Journal.

**Doctor of the Day**

Senator CAMPSEN introduced Dr. Mark Salley of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 12:15 P.M., Senator REESE requested a leave of absence from 10:30 - 11:00 A.M. tomorrow morning.

**Leave of Absence**

At 12:15 P.M., Senator SHANE MARTIN requested a leave of absence beginning at 4:00 P.M. on June 27, 2012, through July 8, 2012.

**Leave of Absence**

At 12:15 P.M., Senator JACKSON requested a leave of absence beginning at 5:00 P.M. and lasting until 10:00 A.M. in the morning.

**Leave of Absence**

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

**Leave of Absence**

At 7:30 P.M., Senator HAYES requested a leave of absence for the balance of the day.

**Leave of Absence**

At 7:00 P.M., Senator CROMER requested a leave of absence beginning at 7:15 P.M. and lasting until 8:45 P.M.

**PRESIDENT PRESIDES**

At 12:18 P.M., the PRESIDENT assumed the Chair.

**Presentation of Service Pins**

In commemoration of continuous service with the State of South Carolina, Senator COURSON, PRESIDENT *Pro Tempore* of the Senate, presented a certificate and service pin to the following Senators for their years of service:

10 Year Pins

Senator Gerald Malloy

20 Year Pins

Senator Robert Ford

Senator Darrell Jackson

Senator Luke Rankin

Senator W. Greg Ryberg

30 Year Pins

Senator Dick Elliott

Senator John L. Scott, Jr.

40 Year Pins

Senator Floyd Nicholson

Senator COURSON, PRESIDENT *Pro Tempore* of the Senate, presented certificates and awarded service pins to the following Senate staff for their respective years of state service:

10 Year Pins

Olivia S. Burns

Julie S. Price

20 Year Pins

Elizabeth J. Hossenlopp

Jane O. Shuler

30 Year Pins

Wayne H. Abney

Dianne C. Carraway

Amy W. Hendrix

Charles R. McGirt

Michael L. Shealy

All were highly commended for their years of devoted and loyal service.

**Motion to Ratify Adopted**

At 12:25 P.M., Senator LARRY MARTIN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

**RECALLED**

H. 4093 -- Reps. Pope, Sottile, Simrill, Hosey, Williams, Atwater, Quinn, Toole, Huggins, Brannon, Knight, Gambrell, Clyburn, McCoy, Gilliard, Owens, Merrill, Norman, Crawford, Bowers, Murphy, Bedingfield, Bowen, Branham, Chumley, Clemmons, Delleney, Hamilton, Hodges, Loftis, Lowe, D.C. Moss, V.S. Moss, Nanney, J.M. Neal, Ott, Ryan, G.M. Smith, G.R. Smith, J.R. Smith, Spires, Tallon, Taylor, Whitmire, Willis, Neilson and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑715 SO AS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS THE OFFICIAL STATE EMBLEM OF THE SERVICE AND SACRIFICE BY THOSE IN THE UNITED STATES ARMED FORCES WHO HAVE GIVEN THEIR LIVES IN THE LINE OF DUTY.

Senator LARRY MARTIN 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.

**RECALLED AND ADOPTED**

S. 1566 -- Senator L. Martin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 137, BETWEEN NORRIS AND LIBERTY, THAT CROSSES THE TWELVE MILE RIVER, IN HONOR OF DR. VIRGIL MITCHELL, AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CONTAIN THE WORDS “DR. VIRGIL MITCHELL BRIDGE”.

Senator LARRY MARTIN 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.

Senator LARRY MARTIN asked unanimous consent to take the Concurrent Resolution up for immediate consideration.

There was no objection.

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

**RECALLED**

H. 4494 -- Reps. Huggins, Long, Pitts, G.R. Smith and Bedingfield: A BILL TO AMEND SECTION 23‑31‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASE OF RIFLES OR SHOTGUNS IN CONTIGUOUS STATES, SO AS TO REMOVE THE REQUIREMENT THAT THE PURCHASE BE MADE FROM A CONTIGUOUS STATE.

Senator LARRY MARTIN 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.

**RECALLED**

H. 4200 -- Reps. Hardwick, Cooper, Clemmons, Frye, Ott, Funderburk, H.B. Brown, Battle, Agnew, McCoy, McEachern, Atwater, Williams, Spires, J.H. Neal, Gilliard, Sabb, Toole, Butler Garrick, Govan, Hiott, Stringer, Ballentine, Murphy, Knight, G.A. Brown, Chumley, Corbin, Crosby, Daning, Dillard, Hixon, Lowe, V.S. Moss, Neilson, Ryan, Willis, Hodges, Whipper, R.L. Brown and Brady: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46‑3‑25 SO AS TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO CREATE AND MAINTAIN A PROGRAM TO ENCOURAGE SCHOOLS TO SERVE LOCALLY GROWN, MINIMALLY PROCESSED FARM FOODS.

Senator VERDIN asked unanimous consent to make a motion to recall the Bill from the Committee on Agriculture and Natural Resources.

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

**RECALLED**

H. 5150 -- Reps. Harrell, Harrison, Sandifer, Lucas, Hardwick, Howard, Clemmons, Ott, Crawford, Bingham, Owens, White and Funderburk: A BILL TO REENACT SECTION 33‑44‑303, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIABILITY OF MEMBERS AND MANAGERS OF LIMITED LIABILITY COMPANIES, AND TO EXPRESS THAT IT IS THE CLEAR AND UNAMBIGUOUS INTENT OF THE GENERAL ASSEMBLY TO SHIELD A MEMBER OF A LIMITED LIABILITY COMPANY FROM PERSONAL LIABILITY FOR ACTIONS TAKEN IN THE ORDINARY COURSE OF THE LIMITED LIABILITY COMPANY’S BUSINESS.

Senator LARRY MARTIN 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. 1570 -- Senators Malloy and Pinckney: A SENATE RESOLUTION TO COMMEND MARY LOUISE CONGDON PRICE OF COLUMBIA FOR HER TWENTY-EIGHT YEARS OF OUTSTANDING AND DEDICATED SERVICE AS A STAFF MEMBER OF THE SOUTH CAROLINA SENATE, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT, AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1571 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR EMILY SUE DAWSON WHITE FOR FORTY-FIVE YEARS OF OUTSTANDING AND SELFLESS SERVICE TO THE UNIVERSITY OF SOUTH CAROLINA ATHLETICS DEPARTMENT AND FOR HER UNDYING DEVOTION TO GAMECOCK SPORTS.

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The Senate Resolution was adopted.

S. 1572 -- Senator Elliott: A SENATE RESOLUTION TO RECOGNIZE JOHN W. JENRETTE, JR. OF HORRY COUNTY FOR HIS MANY YEARS OF PUBLIC SERVICE IN LOCAL, STATE, AND FEDERAL GOVERNMENT.

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The Senate Resolution was adopted.

S. 1573 -- Senator Malloy: A SENATE RESOLUTION TO RECOGNIZE THOMAS ASHRIELL “TERRY” SLATER, DIRECTOR OF CHORAL ACTIVITIES AT LEE CENTRAL HIGH SCHOOL, FOR HIS MANY YEARS OF EXEMPLARY SERVICE AS A MUSIC TEACHER AND TO CONGRATULATE HIM ON BEING INDUCTED INTO THE LEE COUNTY OPERA HOUSE WALL OF FAME BY THE LEE COUNTY ARTS COUNCIL.

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The Senate Resolution was adopted.

S. 1574 -- Senator Setzler: A CONCURRENT RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO SEEK THE WITHDRAWAL OF THE UNITED STATES PREVENTIVE SERVICES TASK FORCE RECOMMENDATION AGAINST PROSTATE-SPECIFIC ANTIGEN-BASED SCREENING FOR PROSTATE CANCER FOR MEN IN ALL AGE GROUPS.

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On motion of Senator SETZLER, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 1575 -- Senators Scott, 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, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MYRON E. THOMAS, DIRECTOR OF BANDS AT EAU CLAIRE HIGH SCHOOL, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-FIVE YEARS OF OUTSTANDING SERVICE AT THE SCHOOL, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1576 -- Senators Courson, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Ford, Grooms, Gregory, Hayes, Hutto, Jackson, Knotts, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO COMMEND THE HONORABLE JOHN C. LAND III, ONE OF SOUTH CAROLINA’S MOST ADMIRED STATESMAN FOR A LIFETIME OF UNSELFISH PUBLIC SERVICE TO HIS COMMUNITY, STATE, AND NATION, AND TO EXPRESS DEEP GRATITUDE TO HIM ON BEHALF OF A GRATEFUL STATE FOR ALL THAT HE HAS DONE FOR SOUTH CAROLINA AS HE RETIRES FROM THE SENATE AFTER SERVING THIRTY-SEVEN YEARS IN THE GENERAL ASSEMBLY.

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Whereas, the members of the South Carolina Senate with deep and sincere regret have learned that a trusted colleague and friend, the Honorable John Calhoun Land III, will retire from this body at the conclusion of his current term; and

Whereas, John Land, of Manning, has served Calhoun, Clarendon, Florence, and Sumter Counties with distinction in the South Carolina Senate since 1977, and he previously served in the House of Representatives from 1975-76; and

Whereas, he was born in 1941 in Manning, the son of John Calhoun, Jr. and Anne Weisiger Land. In 1960 he attended the University of Florida in Vocational Forestry. He received a B.S. degree from the University of South Carolina in 1965 and his Juris Doctor in 1968; and

Whereas, during his tenure in the Senate, Senator Land earned the respect and admiration of his colleagues from both parties and from all those inside and outside of government with whom he came into contact with as a man of keen intellect and ability and straightforward honesty and integrity. He ably served as the Senate Democratic Majority Leader from 1993 to 2000 and has currently served as the Senate Democratic Minority Leader since 2000; and

Whereas, he is a very successful community and business leader in Manning as an attorney and received the Compleat Lawyer Award by the University of South Carolina Law School Alumni Association in 1996; and

Whereas, Senator Land received an honorary Doctoral of Law degree from the University of South Carolina in 2007 and an honorary Ph.D. from the College of Charleston in 2008; and

Whereas, he and his beloved wife of nearly forty-seven years, Marie, raised three children, John Calhoun IV, Frances, and William “Ceth”, and together they have eight grandchildren, Jamie, Caroline “Bitsy”, Anders, Jay, Anne, Breland, Isabella “Bella”, and John V; and

Whereas, the members of the Senate will most certainly miss the passion and good humor that John Land has brought to the Senate, and especially his skills as a debator, most notably the day he debated in his sneakers; and

Whereas, it is appropriate for the Senate to pause in their deliberations so that they may honor this great son of South Carolina and at the same time reflect on the extraordinary example he has set for those men and women in every generation who are called to public service. Now, therefore,

Be it resolved by the Senate:

That the members of the South Carolina Senate, by this resolution,

commend the Honorable John C. Land III, one of South Carolina’s most admired statesman for a lifetime of unselfish public service to his community, State, and Nation, and to express deep gratitude to him on behalf of a grateful State for all that he has done for South Carolina as he retires from the Senate after serving thirty-seven years in the General Assembly.

Be it further resolved that a copy of this resolution be forwarded to the Honorable John C. Land III.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Remarks by Senator SETZLER**

I’d like to speak about JOHN LAND’s retirement. Several words describe Senator LAND. He is a man of God. I have never been in his presence at a meal that he did not say “grace.” He daily deals with his relationship with the Lord. He is a husband, a father, a grandfather, a lawyer extraordinaire, a true statesman, a sportsman and, of course, a dapper dresser. He is beyond all match in the South Carolina Senate.

JOHN LAND’s service to the State of South Carolina has been long and varied. He started with his service on the South Carolina Highway Commission. Then he moved to the lower body, the South Carolina House of Representatives. Then the last 36 years he has served with distinction in the South Carolina Senate. JOHN is named for a famous South Carolina politician -- John Caldwell Calhoun. He was also a political philosopher. John Calhoun's nickname was “Cast Iron Man” for his staunch determination to defend the causes in which he believed. Truly, that fits our JOHN LAND. We know him as may be -- and no offense to anyone else in this Chamber -- the last of the great rural political barons of South Carolina to serve in this body.

I came to the Senate in 1976, with JOHN LAND. There were 14 or 15 new members who came to the Senate in January of 1977. Let me read you some of those names -- CARROLL CAMPBELL ,DAVID TURNIPSEED, ALEX SANDERS, HEYWARD McDONALD, TOM TURNIPSSEED. JOHNNY WALLER, FRANK McGILL, WILLIAM HOWELL, just to name a few, who were here and came at that time. There are those on the back row -- everybody likes to pick at the back row in the Senate -- when we came to the South Carolina Senate, we saw ourselves as rebel rousers and agents of change. When we were elected to the South Carolina Senate, MARION GRESSETTE sat there and ruled the South Carolina Senate with an iron hand. He never had anything on his desk but one index card, but he knew what issue was to be at this podium six weeks later, and if you ever voted against him, he didn’t say anything to you. He’d just kind of wheel around in that chair and looked at you. But you could bet, sometime in the next few months, you were going to get hit upside the head with a 2’x4’ with a vote on something you wanted and it would bring you to your knees. When we came to the South Carolina Senate to organize in January of 1977, the tradition at that point was that the senior members of the Senate went to the room upstairs here to organize. They left the freshmen down here. You remember, Senator from Clarendon? They left us down here. But not to be had or outdone, those new members of the South Carolina Senate marched straight upstairs into that meeting and said, “We’re going to be here and be a part of making committee assignments. You’re not going to come downstairs and tell us what committees we’re on.” When we came to the South Carolina Senate, JOHN DRUMMOND was a real rebel. If you think you are a rebel, JOHN DRUMMOND was one. If we had new employees in the state Appropriations Bill, if there were 500 -- and I can remember it like yesterday, JOHN DRUMMOND would put an amendment up to strike every single one, one by one, and he would make you vote on every one of them until he got what he wanted. So this body has changed, and that’s not all bad, but the traditions of the Senate are also very important.

JOHN LAND has made his mark in the South Carolina Senate like the other great people who have served here -- MARION GRESSETTE, REMBERT DENNIS, JOHN DRUMMOND, I. D.NEWMAN, DON HOLLAND and MARSHALL WILLIAMS. JOHN LAND and I have served together, and I have, in the last ten years had the pleasure to sit beside him and serve as a seatmate of his. JOHN LAND is a man of conviction, a man of courage, dedication, love for South Carolina and the people of South Carolina and, yes, a love for the institution of the South Carolina Senate, its customs, its traditions and its decorum.

Everyone in this Chamber knows of the Senator from Clarendon’s abilities at this podium and his oratorical ability. He’s probably the one that could have seen something for two minutes, Senator from Cherokee, and talk four hours on it. Everyone knows of JOHN LAND’s love of service, but he also loves life. He enjoys every single day God has given him on this earth. You can’t talk about the Senator from Clarendon and his service in this Senate without talking about the stories of JOHN LAND and what’s happened in the Senate besides the everyday work on this floor.

Probably the closest person to him in his tenure in the Senate was former Senator TOMMY MOORE. At points in time, they were inseparable. JOHN LAND, as I have said to him many times, he’s the only person I’ve ever seen that’s got a smile on his face every day. He constantly laughs and I don’t believe he’s ever had a bad day, except -- and my apologies to Senator MOORE for telling this story -- except one day, Wednesday, June 12, 1996. We were in the Carolina Inn and at that point the Chamber was being redone and the Senator from Clarendon was holding forth in a filibuster with his tennis shoes on and he was filibustering the Law Abiding Citizens Self-Defense Act of 1995. He was doing a fantastic job and had this Chamber locked down. And then, about 7:10, according to the Journal, the Senator from Cherokee, Senator PEELER, stood and made a motion under Rule 15a to set a time certain. The Senator from Clarendon was just sure the votes were not there to cloture him and take him off his tennis shoes and his feet. But as the roll was called, his close and dear friend standing on the curb with him, the Senator from Aiken, as they called the Senator from Aiken’s name, Senator MOORE pushed the Senator from Clarendon right in front of the bus and voted against him. And they took the Senator from Clarendon off his feet. And what did the Senator from Clarendon do? He stormed out of the Chamber.

That’s the only day that I’ve ever seen him where he really was not happy. But in true JOHN LAND style, it was not long before he and the former Senator from Aiken were back as close as they ever were and the Senator from Aiken kills me every time I mention that and bring it up. He tries to forget it and have amnesia.

You can’t talk about JOHN LAND and his service in the Senate without talking about the former Senator from Darlington, ED SALEEBY, a great member of this Chamber. He loved to talk about his prowess as a trial lawyer and as a Workers’ Comp lawyer. All of you know JOHN LAND’s ability as a Workers’ Comp lawyer. JOHN LAND would set Senator SALEEBY up every week. The Senator would come through the doors every week and go to JOHN LAND and he would say for example, “I just settled a case on the way in. Got $100,000.” JOHN would rare back and say, “I settled one for $250,000 and my client was from Darlington where you practice law!”

Speaking of filibusters, a few minutes ago, those of you who think some of the old guard can’t stand filibusters, we have been here three or four nights in a row and there’s nothing fun about it, but we can withstand the filibusters. When they invoked Rule 3b one time on a filibuster -- as you know, they call everybody in and they brought security looking for us. All of a sudden, the former Senator from Aiken, Senator MOORE and Senator LAND had disappeared. Security was on the mics talking to each other and asking where they were. Security couldn’t find them. Well, their cars were in the garage. Security gave a report that they couldn’t find the Senator from Clarendon and the Senator from Aiken. Well, guess what? They were in the anti-room of the ladies’ bathroom in the Gressette Building, sitting on the couch, hiding! That’s where they were! And Security never did find them!

But the best story about Senator SALEEBY and Senator LAND -- and JOHN tells this story better than I do -- was, as you know, JOHN LAND will help you with anything as a member of this Senate. He doesn’t care who you are or what your time has been in the Senate. He will help you. He has told the story that one time Senator SALEEBY came and said, “Senator LAND, I need you to see the Governor with me. I have a young African-American lady I want him to appoint to the Workers’ Compensation Commission. I want to talk with the Governor about it and I want you to go and help me.” The Senator from Clarendon said, “Yeah, I’ll go with you.” So they stroll over and go into the Governor’s Office. Governor HODGES was the Governor at the time. JOHN LAND says, “Governor, we have this lady we want you to appoint to the Workers’ Comp Commission.” He said, “She’s an outstanding lady. She’s qualified, will work night and day,” and he went on and on and the Governor said, “JOHN, what’s her name?” He looked at Senator SALEEBY and said, “What’s her name?” Ed said, “I don’t remember! We need to come back, Governor.” And that is a true story, is it not?

And then, my final story is about the Senator from Clarendon’s service on the Conference Committee on the Appropriations Bill, 2000‑2001. JOHN DRUMMOND was Chairman of the Finance Committee. At that time, we had a Conference Committee on the Appropriations Bill that would last weeks. Some of you have not seen that. These were cantankerous Conference Committees. They weren’t nice and easy. They were working -- fighting over issue over issue, day after day for several weeks. So, as we got ready to appoint the Conference Committee, the Senator from Greenwood, Senator DRUMMOND called the Senator from Clarendon, the former Senator from Aiken and myself to his office and he said, “I’m not going to serve on the Conference Committee and our reaction was, “Wait a minute; you can’t not serve on the Conference Committee; you’re the Chairman of the Finance Committee.” “No, sir, I’m not going to serve on the Conference Committee.” Well, we argued for about 15 or 20 minutes and we said, “Well, Senator, if you’re not going to serve, who are you going to appoint?” He said, “This is the worst Conference Committee we’ve had in probably 10 or 15 years.” He said, “I’m going to send the A-team. I’m going to send the Senators from Clarendon, Aiken and Lexington as the conferees.” So, we served along with the Chairman of the House Ways and Means Committee, Bobby Harrell, and Representative Mark Kelly and Representative Rick Quinn. We went through a couple of weeks trying to get a report and couldn’t. Finally, the House conferees came in one session and moved to adopt a version of the Conference Report they had developed, and we knew they really did not want. And it was way out in left or right field, whichever you want to call it, but it was totally unacceptable. We recessed and went to Senator DRUMMOND’s office to talk about what to do. Senator LAND said after a few minutes, “I’ll tell you what I’ll do. I’ll make a motion to accept their report because they really don’t want that report.” The Senator from Aiken, Senator MOORE, said, “We can’t do that; they’re liable to take us up on that.” I said, “ I’ll second the motion.” So, we went back out in the conference meeting and sure enough, the meeting was finally called into session, and Senator LAND threw up his hand and said, “I move to adopt what the House proposed.” I said, “I second.” It wasn’t one second after I seconded the motion that Representative Harrell said, “Wait a minute. We have to see where we’re going.” And they backed up the next 45 minutes and we never saw that proposal again in the entire time.

So, I’ll quit telling my stories about JOHN LAND, but his time in the Senate is marked by his service to the people he represented, to the Pee Dee., to the I-95 Corridor, his devotion to public education and to those who are less fortunate, the sick, the elderly and the young. He has supported economic development. He’s been involved in every major piece of legislation since he came to the South Carolina Senate that’s passed -- the Education Improvement Act, the Infrastructure Bond Bill, the Child Safety Seatbelt Bill, the Education Lottery, relocation of the Confederate flag, the Conservation Land Bank, the Cigarette Surcharge, BMW, Michelin, Boeing and Continental Tire.

His underlying belief, which he’s asked many of you questions about, is that you invest in the people of South Carolina. If I’ve heard him say it once, I’ve heard him say it a thousand times. He was elected majority leader in 1993 and minority leader in 2001. The Senator from Clarendon has served this body with grace. The Bible tells us to seek grace and to serve with grace. But for partisan politics, the Senator from Clarendon would have been PRESIDENT *Pro Tem* and Chairman of the Senate Finance Committee of the South Carolina Senate. But that was not to be. Did the Senator from Clarendon get mad and leave? No. He stood for re-election two more times and stayed here another ten years. And his word to the Democratic Caucus was that we have to work to make this transition work on behalf of the people of South Carolina. Senator, you have done that. You have been side by side with the former PRESIDENT *Pro Tem*, the current PRESIDENT *Pro Tem* and Chairman of the Senate Finance Committee and the majority leader to move this State forward. I’ve heard him say many times before casting a vote that he wasn’t worried about re-election -- that he was going to do what was right. He never worried about a vote he cast in this body. His namesake, John C. Calhoun said -- and I think you can hear these words coming from the Senator from Clarendon -- “I never know what South Carolina thinks of a measure. I never consult her. I act to the best of my judgment and according to my conscience. If she approves, well and good. If she does not or wishes one to take my place, I am ready to vacate. We are even.” Senator, that represents who you are. You have invested in the people of this State. You have invested in this body. You have invested your entire life in this body. I’m reminded of another quote of your namesake, “In looking back, I see nothing to regret and little to correct.” Senator from Clarendon, the people of South Carolina are better off because you have served in this body. They are better off because you have served here, and we have each been blessed by your service.

We wish you God’s Speed as you leave this body and we ask that God walk with you every day as you go forward. God bless you.

**Expression of Personal Interest**

Senator LAND rose for an Expression of Personal Interest.

**Remarks by Senator LAND**

Gentlemen of the Senate, they always told me in Court, when it looked like the judge was ruling with you, sit down and don’t say anymore. After those beautiful remarks, Senator from Lexington, that I appreciate very, very much, I probably should just sit down and say the Senator said it all.

But I do want to talk to you just a little bit and tell you what all of you mean to me and what the Senate means to me. I’ve had the pleasure to speak to several graduating classes, and when I do so, I always tell them that I’m probably one of the most unlikely people to be speaking to a graduating class, Senator from Horry, and sometimes with the acceptance of an Honorary Degree! Because when I finished high school, my guidance counselor told my mother and father in my presence -- she told my parents that there was “really no need to invest any money in Johnny’s further education; that he simply is not capable.”

You know, I have to take up for her because I had done nothing in 12 years to prove otherwise; but, my parents did invest in my education. They sent me down to the University of Florida Forest Ranger School because that’s all I’d ever done was played in the woods, hunted and fished and so forth and they figured that was about the closest thing to it. I could go there and maybe get paid for it. So I went down there and it was a 12- or 13-month course, and I got a degree and they called it a Vocational Forester Ranger Degree. And I did well. Surprised everybody. After that, I got a job in Georgia with Mead Paper Company, and I lived in the next two years in about ten different cities and worked in the wood yard business loading pulp wood on railcars. I reckon the best thing that ever happened to me, after about two years, a promotion came up for somebody to run all of those 13 wood yards that I had opened. So I went and I just knew I would get the job, but I didn’t get it. And, so -- I was kind of an upstart then, like I am now, I guess -- and I asked them, I said, “Why? Y’all know I know more about this job than that fellow.” They said, “Yes, but he’s got a college degree.” I said, “All right. I believe I’ll get me one. Thank y’all very much.” I quit, sold my big car, bought a stripped-down Chevrolet and came to the University of South Carolina, and the doors of the University never opened until I graduated from Law School without JOHN LAND being a member and student at the University.

So I went through undergraduate school and, of course, I’ll have to talk about the Senator from Richland, Senator JOHN COURSON, who was right there with me in a fraternity. Talk about country. Now, he probably won’t say this, but when I first went through Rush, they looked at me and probably said, “Have mercy, that’s a country boy if I ever saw one.” But y’all dressed and cleaned me up and taught me some things. I already knew a little manners, but y’all taught me some good things in the fraternity and we had a wonderful time serving together. But I went through, and the only time I was not enrolled at the University of South Carolina during the five and a half years when I finished law school is when STROM THURMOND -- he was a Democrat then -- asked through Joe Rogers -- you might remember him from Manning, a House member and candidate for Governor -- hired me as a capitol policeman, believe it or not. So I went up there, and they put me in a uniform and put me at a door, gave me a gun with no bullets, and my job was to sit there. I thought it was just to look at all the pretty girls that came through, because that’s all I did. And there were a lot of them. But I never did take the test or the training for the gun, so I never got any bullets in there. But I had the gun on. That’s the only time that the University doors opened and I was not there. And then I went through law school in two and a half years. And I moved -- well, I had a job offer from Attorney General McCloud, and an offer to come back to Manning to practice law with JAMES M. MORRIS. Some of y’all may know him. He served in this body. I went and talked to him and he said that he couldn’t pay me or anything, but he would cover all the expenses. So I got halfway back and I called Marie and I told her, I said, “Darlin’, I think I made my decision as to what we’re going to do. We’re going to Manning forever.” She said, “Forever? Everywhere I’ve ever been in my life” -- her father was in the military -- she said, “I knew I would be leaving in four years and now you’re telling me we’re going back to Manning?” Of course, Marie -- I think she’s watching it on television at home or on her computer, she’s right cosmopolitan, you know. She’s been around. Every time she gets too cosmopolitan, I remind her, Senator from Sumter, that she finished Hillcrest High School in Sumter County. Now, that’s a back-in-the-woods high school, especially back in that particular time, so I get her back. Is that all right, Marie? Anyway, we went back to Manning and I started practicing law and, surprisingly, to me and all the people that knew me growing up, they were amazed that I was an attorney and that I’ve done very well.

And my public service, in a way, started shortly thereafter, Senator from Florence, when the Secretary from the Democratic Party -- and everybody was a Democrat back then -- and the secretary of the party ran the election. The secretary died and they cast me in that position as a 31 year old attorney -- maybe even younger than that -- and that’s how I got involved in politics. But I was a page over in the House of Representatives beginning in 1963, so my public service with the State really started then, and it was never broken. After that, I went back home and I was a city attorney for a few years, and then I went on the highway commission as a very, very young man, and from there I ran for the Senate in 1972. Senator from Richland, I lost. I won the whole time ‘til they had the election. My opponent got in the Senate by nine votes and that was incumbent Senator JAMES MORRIS.

And I’ll tell you a story about him -- I don’t want to bore y’all -- but, anyway, I told someone the other day that I never would let anybody be my enemy, Senator from Cherokee. If you were mad at me, I would do everything that I could to rectify whatever that was. Now, I did have to outlive some, but I always tried to fix things. Anyway, Senator MORRIS and I were law partners, and I left him. Two years later, I ran against him. A lot of people thought that was a terrible thing to do, that I was a scoundrel for having gone and practiced with the man. There was another side, however. We thought he had left us because we worked hard for his election and he made certain promises. And then he wanted to become a judge. I worked my heart out, some people thought it was self-serving, but I worked hard to get him elected. After high school, we had a florist’s son in the class. Every Sunday he would bring flowers to the class and we would decide who to take them to. Right before MORRIS died, I took the flowers to his home and we sat on the bed and we talked of old times. When he went, we were right with each other, and that meant a lot to me. But, anyway, my service started in the House and I stayed over for two years. Then they said, “LAND, you’ve got to run for the Senate.” I said, “No, I’m happy here.” I didn’t have any opposition. They said, “No, you’ve got to run.” And I did and I won and, of course, I have been here ever since.

I came in with the Senator from Lexington. I’ve always admired you, Senator. I admire you on your service; I admire your family, I admire your daughters and all, and I can’t tell you how much your remarks mean to me but I’ve had a wonderful time over here. I think one of the kindest things ever said about me came from the Senator from Calhoun, Senator GRESSETTE. All of us come in here as young Turks -- We were going to turn this Senate upside down -- Y’all hear me back there? We were going to turn this place upside down and teach those good old boys how to really run a Senate and a State. It doesn’t usually work out that way, but MARION GRESSETTE said, “I’ll tell you what. That Senator from Clarendon, JOHN LAND, was the hardest one I ever had to break in -- took me two weeks!” It took him two weeks, and I have been with the old guard ever since. I was the youngest member of the old guard. But we had a good time, of course.

You know, as I look back on it, I wish I hadn’t worn those tennis shoes, because it really wasn’t appropriate for the Senate, but we weren’t actually in this room. We were across the street in a hotel, so that was all right. But the Senator from Lexington did tell you, you know, that I am a happy fella. I just laugh because I don’t know any better. I just enjoy life.

But I have had some low points. And when Senator TOM MOORE -- look at his face, it’s red. He’s sitting in the balcony -- when he cast that vote against me to take me off my feet, and you tried to tell me later? He said, “I was trying to do you a favor.” He said, “You milked that one long enough. Now, you were abusing yourself up there.” He said that he was trying to do me a favor, so I accept it but I was mad at him for one day, until he took me out the next day and bought me dinner and he’s been buying my dinner ever since. So, you know, that wasn’t too bad. I don’t know how much the NRA had to contribute to him to get him to do a friend like that. But we have had a wonderful time, Senator MOORE, and I don’t hold that against you -- very much.

But, anyway, as y’all know, I’ve grown up here, and I’ve made most mistakes of my life right here in this body. I’ve cast a lot of votes that I regretted later. But I have seen so much good done, too. When I went over to the House of Representatives in 1974, Mr. Chairman of the Finance Committee, the budget was $500 million. And, so, I have seen all the growth, and I’ve seen us invest in ourselves, invest in this State, invest in our roads, invest in our colleges, and I just -- I’m just so proud, when I go about this State, because I have played a little part in that, not a big part, but I have a little part in it. And I’ve seen our universities grow. I’ve seen our public school systems going from something we all should have been ashamed of to a good public school system across South Carolina. It’s not good enough. We need to do more. But I’ve seen us come a long way in South Carolina, and I was proud to be a part of it. I was proud to serve with all of you that I serve with today. And I was proud to serve with the MARION GRESSETTEs in the room, and the DENNISes, and the WILLIAMSes, and DRUMMONDs, and the ED SALEEBYs. I don’t know why he took me under his wing when I came up here, but he did. As I said, Senator from Florence, as you remember, at his funeral, when they asked me to speak to eulogize my good friend, ED SALEEBY -- he would chastise and fuss and criticize me publicly. He didn’t care who was listening; he would just jump all over me. But I finally decided he just loved me the best of you all and that’s why he felt he was free to criticize me in public. We had a wonderful time together. I could get to him every day, no matter what he told me -- and the Senator from Lexington was always right. He’d come in and say, “LAND, I settled a nice case.” I said, “That’s good, what is it?” “$100,000.” I said, “I settled one for $250,000 and the client was from Darlington!” And that took the wind out of his sails. But one of the things I remember best about Senator SALEEBY is one time he asked me if I would vote in a judicial race. He said I committed to him. After I cast my vote the other way, he came running up to me afterward and said, “LAND, you said you were going to vote for so and so!” I said, “I lied.” Anyway, that story really came from former Senator JOHN MILES -- you remember the Senator from Sumter? But, anyway, we had a good time with Senator SALEEBY over the years, and he was a big factor in my life and gave me good guidance and a trusted friend as all of y’all have been. You don’t leave this Chamber lightly.

Someone asked, “I don’t understand why you would leave without opposition.” I said, “Well, sometimes there comes a point in time and this is it. Marie and I talked it over and decided what we wanted to do in life. She decided she would retire after being the longest serving member of the College of Charleston Board, and I decided I would leave the Senate.” I will be sending y’all a card and some emails and some messages from down in South America in February of next year. Now, we’ve already got our first trip planned.

I plan to go back home and be with my children and grandchildren and my law partner, Nelson Parker, of 38 years, now. We practiced law together that long -- and have never had a word. And I’ve enjoyed him and my children in there, and, of course, all of them are smarter than me. They tell me every day that they are, and that’s what we wanted them to be. So Marie and I have had a wonderful time in public service. We think we’ve seen South Carolina move forward, and my only challenge to you is don’t let it stop.

You know, invest in South Carolina. I was so proud the other day when the Senator from Spartanburg was talking about our roads. He recognized we need to invest in our roads, didn’t you, Senator from Spartanburg? Of course, he wanted to take the money from somebody else, but the point of the matter is, he recognized, too, that we’re going to have to invest in our roads and we’re going to have to invest in our colleges and universities and infrastructure there. It’s “pay me now or pay me later”, and I know y’all will do it.

And Senator from Florence, I want to say something about you. I’ve served under your leadership in the Finance Committee for the last ten or twelve years and I have seen what you are made of and I have seen your commitment to South Carolina and I have seen your commitment to moving this State forward. So, when I leave here, I feel that the State of South Carolina is in good financial control through your leadership on the Finance Committee, and I can’t thank you enough about what you’ve done for this State. And that really goes to all of you.

Remember, Senator WALDROP went around and said something about every person. I’m not going to try to do that because it would take too long and I probably have talked too long, anyway. But Senator from Richland, as I said earlier, we’ve had a wonderful relationship together, and I can’t tell you how glad I am that you sit there. You certainly deserve it and you have been a true public servant and one who has made everybody you’ve served proud and all the people of South Carolina proud of your service. And that goes to each and every one of you in this body. No one knows what you give up by serving in this body.

A lot of people thought my son, Cal, would run for my seat, but maybe he saw that empty chair too many Sundays at our mandatory Sunday dinner -- except for me, when I was gone somewhere to a funeral or to a church service or somewhere that my duties as a Senator required me to do, and so, probably that was one of the reasons he didn’t seek my seat. Plus, it’s a little harder these days for a young lawyer to make it and serve in public office. It was a little easier as I came along.

But y’all have been so kind to me. And I have to say something about the staff all around. Of course, y’all make our jobs so easy. Y’all are so pleasant, and you tell us what we’re doing wrong before we even do it. That always helps. You help us. And Senator from Charleston, I don’t know, you and I have had more fun up here than two people ought to have. After so long with us fighting on a different side of an issue, we all of a sudden came together. It wasn’t even spoken, we just decided we were going to be on the same side and it’s worked out really well.

You know, I’ve had a lot of Lieutenant Governors look at my bald head back there, but I reckon I’m as proud of you, Lt. Governor McCONNELL, as any of them. Thank you for your service to the people of South Carolina. We expect great things from you. Thank you for what you mean to South Carolina. And I just thank all of you for putting up with me and being so kind to me over the years. We’ve had a good time and we’ve seen a lot of progress. I’m just proud to have known each and every one of you. I’m proud to have been a South Carolina Senator. And I believe once you have been one, you’re always one. So, as I refer to my Senator friend, TOM MOORE -- once a Senator, always one. And I love each and every one of you.

Anytime I can ever do anything for y’all in here, I’m right there for you. I say, “God bless each and every one of you,” and thank you again.

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

**Remarks by Senator COURSON**

Mr. PRESIDENT, members of the Senate, now I know what it must have felt like to follow Ronald Reagan at the podium. I would like to share some comments about the Senator from Clarendon. He mentioned we were fraternity brothers at the University of South Carolina - members of Sigma Chi Fraternity. I want to share with you some political history. I have mentioned this in the past but it needs to be re-encapsulated here. We started our adult life together politically. We were going down the same lane and both on the right-hand side. Barry Goldwater came to the Township Auditorium in 1964 and, I believe, we both gave him the Sigma Chi handshake and didn’t wash our hands for two weeks after that. It was very memorable for both of us. As we were going down the right side of the road, somehow, we hit a fork and the Senator from Clarendon veered off to the left fork. I never understood that.

I remember “Time” or “Newsweek” magazine a few years ago wrote an article on Senator Land and tried to encapsulate him as a political baron, one of the last. I knew him when he was conservative.

I must share one story I found very interesting. We both received Honorary Doctorates at the University of South Carolina in 2007. In fact, they asked us to give co-commencement addresses, which we were honored to do being fraternity brothers and bipartisan. So, I called him and I said, “You’re not going to be speaking from notes, are you?” He said, “Absolutely not.” So we lined up with our garnet robes and as I was looking at him, he had a sheepish look on his face and he had his hands folded like this. Lo and behold he had a folder in his robe with notes in it. I said, “You said you weren’t going to have notes.” He said, “Well, yeah, same thing I told ED (SALEEBY). I lied.”

I’ve had the honor for 28 years of serving with many Senators. Some of them were missed when they retired. Very few were sorely missed. Senator, you will be sorely missed. Thank you for your service.

**Expression of Personal Interest**

Senator LOURIE rose for an Expression of Personal Interest.

**Remarks by Senator LOURIE**

Mr. PRESIDENT, members of the Senate, thank you.

My relationship with Senator LAND goes back for, I guess, almost 30 years, as I had the chance to meet him as I was in high school and in college, when he came up and he served with my father, ISADORE LOURIE. Of course, my dad always spoke very highly of him. And, the Senator from Lexington, Senator SETZLER, did such a beautiful job in paying tribute to him. I think we can all agree there is not a person in this Chamber who loves and is more committed to South Carolina than the soon to be retiring Senator from Clarendon.

When I was in the House, I’d look to Senator LAND. At that point, I think he was Chairman of the Transportation Committee, and he helped me get my first Bill passed dealing with 15-passenger vans. Many were wrecking and we were able to ban using those in schools and day care centers. He was always very helpful to me. So when I got elected to the Senate in 2004, I was talking to the clerk, Mr. Gossett, and he said, “We have to find an office for you to go.” He said, “Senator LAND had a vacancy in his office. Why don’t you call him and see if that will work out?” I called him and it was two days after the election and he answered the phone in this very quiet voice. He said, “Hello.” I said, “Senator LAND? This is JOEL LOURIE.” He said, “Hey, what’s up?” He said, “I meant to call and congratulate you. I’m in a duck stand right now.” Now, 30 seconds later, the loudest noise I ever heard from a telephone came through and, literally, I couldn’t hear for about three months afterwards. LAND tried to convince me to file a Workers’ Comp claim because it was state-related. But I had a chance to room with him for about two years. We were suitemates. And then, when Senator MOORE vacated his office, the clerk called me up one day and said, “I need to talk to you about your office.” I said, “What’s up, Jeff?” He said, “Well, Senator LAND is moving down the hall into TOMMY MOORE’s office.” I said, “That can’t be. We talk all the time. He’s my suitemate. He hasn’t said anything to me about that.” He said, “Yeah, that’s true.” I called Senator LAND and I said, “This isn’t happening, is it? Are you going to shuffle everything around to get that office?” He said, “Remember that time you told me your son broke up with his girlfriend on the Internet?” Sometimes you find out about these things secondhand.”

But I think, the greatest part of our relationship is our differences. He always accused me of being a city boy. I grew up in suburban Columbia and I’ve always told him when we want a good piece of duck and deer, we go to the Fresh Market and buy one. We don’t shoot our own. We don’t kill them.

But we were doing the Cock Fighting Bill and I got appointed to the Conference Committee my first year in the Senate on that Bill. The Senator from Lexington, Senator KNOTTS, had strong feelings about this. And the Senator from Spartanburg, Senator HAWKINS and I were on the committee. I was trying to be the bridge between HAWKINS and KNOTTS and we got to an agreement. They said, “You better check with LAND.” I was just beginning to appreciate his influence. He said, “Go check with him.” So I went and saw this great mentor, hero, fatherly figure of mine and I said I wanted to let you know we’re doing the Cock Fighting Bill and he said, “You city boys, you’re always getting in our business, aren’t you?” I said, “You know, where I grew up, Senator, our kids do intermural swimming, tennis, basketball and football. There isn’t a lot of Cock Fighting in Forest Acres.” So Senator LAND said, “Let me check on you.” So he did and we got it worked out.

Three years ago, when we were doing the former Senator from Charleston’s Raffle Bill and trying to figure out how to legalize raffles for nonprofits but yet not open the door to gambling. This Bill had gone through Judiciary and Senator LAND was working with y’all on Finance and he said in his deep Southern voice, “You mean to tell me when we raffle off a shotgun in my church, that’s illegal?” and I walked up to him and said, “You know, Senator, in the hundred-year history of the Synagogue, we have never raffled off a shotgun.”

But I also got on his bad side one time, Senator THOMAS. We were up in that room trying to resolve the payday lending debate, and the Senator from Darlington, Senator MALLOY, Senator HAYES and I were working to come to an agreement. I found myself with HAYES, LAND and MOORE, who at that time was lobbying for the payday lending industry, and I don’t know what got into the Senator from Clarendon that day, because he lit into me like you couldn’t believe. Come to find out, Senator MOORE later told me he had had bad wine and was having gastrointestinal issues that day. But he lit into me and called me about three hours later and apologized. He said, “I had no right to do that. Senator, I always respected you.”

I believe everything the Senator from Lexington said. You are one of the last great rural barons, by far the most eloquent speaker that I’ve seen in my time of service in the House and the Senate, and your love and compassion for every member of this Senate and for the State as a whole is something we all as public servants should try to emulate, and I know I join the other 44 members in congratulating you, sir, on a job well done.

Thank you.

**Expression of Personal Interest**

Senator RANKIN rose for an Expression of Personal Interest.

**Remarks by Senator RANKIN**

Thank you, Mr. PRESIDENT.

Folks, I just have a couple of little pearls and observations as well. I did not realize, Senator, that you were elected at the age of 31 to the Senate. As an attorney, I marvel at the similarities and I just hope in my walk that I’ll continue to enjoy the same prosperity that you’ve described and that I’ve had thus far.

I was elected in ’92, and I had the odd fortune and misfortune of attending the funeral of the late MARSHALL WILLIAMS. I was in Tennessee at the time, visiting folks over the holidays, and I went to Kmart to cobble together an outfit for the funeral. I really looked like a Tennessean with the clothes I had. So, the funeral was scheduled to be in the next coup days, so I flew from Tennessee to Orangeburg to attend his funeral. Chaplain, if you’re here, no speaker at a funeral eulogized anyone more colorfully than JOHN LAND did MARSHALL WILLIAMS. And in this most somber, most very formal kind of straight face; but certainly not smiling, not backslapping like you saw our Congressman JOE WILSON do at the funeral of Floyd Spence, if you saw that at the church, the backslapping. I’ll never forget that. But you didn’t see that at this funeral until JOHN LAND started talking about a business that they had together. John Land owned some property, apparently, in Orangeburg and rented it out to MARSHALL WILLIAMS. MARSHALL WILLIAMS wouldn’t pay his rent! So where does this subject come up? At his funeral! And the man couldn’t defend himself, so he outlived that one, too! But, I was most impressed with the Senator from Clarendon then, I looked like I was wearing Grranimals, with the matching bad outfit on, but I don’t know that I made my impression on him, except that when I ran the first time, he sent me a thousand dollars, had never seen me before. But I told him then in Orangeburg, I want you to speak at my funeral. And I have said that and reminded him of that every time that I have seen him. And, he will try. Yet another one, he’ll outlive.

The political side and the investment side, I want to just touch on one more little thing here, and that is the success that we have in Horry County and that you have across this state with our roads. We have an Infrastructure Bank. You all know it well. Some of you, perhaps, have gotten to serve on that board. Some have benefited directly in your areas. If not, your time’s coming. But I want to tell you that we have that bill, we have that law due to two people -- JOHN DRUMMOND, but more importantly, JOHN LAND. I give him credit, when the Transportation Committee came down to Horry County, Senator LAND was the Chairman, I do believe. We had the first hearing and the first public input about what can we do for Horry County and South Carolina. Charleston’s always had good roads. Greenville’s always had good roads. But little ol’ Horry County, no interstate, no four-lane anything except 501, that got you to the next light, and another delay, and that was just trying to get in and out of Aynor, had no great roads till we got the Infrastructure Bank. JOHN DRUMMOND was the Chairman of the Finance Committee. The bill came through that committee. David Beasley was the Governor; there was a little bit of politics going on about who was going to get the credit for this huge bill and this huge statewide Infrastructure Bank Board appointment, all this kind of stuff that was held in Horry County at the Convention Center. Governor Beasley thought they were going to turn that into a spring board for his re-election. Senator DRUMMOND had the appointment power for the first seat from the Senate. And guess who was going to get it? John Land had dibs, as Transportation Committee Chairman, it was his bill, it was his seat. And what did he do? He deferred and he let little old LUKE from Horry County have the first appointment, and we got the first application approved by the Infrastructure bank, I might add with the highest local match of any of you at the time. But, we’ve kind of pared it back now, everybody’s on equal footing. But we got the approval and some of the first roads built that makes us look today like Greenville, like a Charleston, like some of these other folks here in Columbia enjoy.

We don’t have I-73 yet, Senator from Cherokee, we’re working on it. But I want to thank Senator Land personally for the roads that we enjoy. You and JOHN DRUMMOND and a host of others, but you two particularly, for allowing us to get to the 20th century, not 21st century yet. So, when you hear this theme of investing in our state and making this a better place to live, in Horry County today, tourist and local alike, we’re moving around a whole lot better through the efforts of JOHN LAND. I thank you. I love you. You have been a mark of humility, and I think, in The Bible, Chaplain, check me, but I think Micha 6:8 has been amended. There has been a fourth add on to that verse. “What doth the LORD require of thee, but to do justly, and to love mercy, to walk humbly with thy God, and to have a big time while you’re doing it?”

**Expression of Personal Interest**

Senator LEATHERMAN rose for an Expression of Personal Interest.

**Remarks by Senator LEATHERMAN**

Senator, thank you.

Senator LAND, I’ve watched you over the years. I have been here. What a great example you have been for us to follow to invest in our State.

You know, I recall back when I was first elected in 1980. The Clerk of the Senate then Jim Fields, called me on Monday night and said, “The Senator asked me to organize the new Senators tomorrow. Come if you want to.” We came in. We went in. The senior Senators were around the conference table. We newly-elected Senators were sitting in the metal chairs on the wall. One of the newly elected was trying to elevate another newly elected and Senator GRESSETTE said, “This person served on town council or city council somewhere.” He said, “How much credit does he get?” He said, “We ain’t ready to take that up yet.” That was the end of that one.

But, JOHN, thank you so much. You’ve really been an example for me. We’ve learned a lot from observing you and I thank you for what you’ve meant to this State and the example you set for the rest of us to follow as you go. We will miss you.

Thank you.

**Expression of Personal Interest**

Senator HUTTO rose for an Expression of Personal Interest.

**Remarks by Senator HUTTO**

Senator LAND, when I first knew there was a Senator LAND, I was a page -- banished from the Halls of this Chamber because my hair was too long -- but a page nonetheless. And I knew you were out there and practicing law. I found myself in a courtroom in Orangeburg on a Friday and I saw you try a case that seemed to me unwinnable and you mesmerized me and I knew then that I was in the presence of a great trial lawyer.

Then I didn’t get to know you again until Senator WILLIAMS’ funeral. You came up to me at the graveside and said, “I’ll see you in a few months.” As the Senator from Horry said, “You sent me $1,000 and I never heard from you again until I got up here.” Since then, of course, I’ve been your fishing buddy, hunting buddy, traveling buddy, your roommate and I’ve learned a lot from you. One of the things that I have learned -- because I feel like I have been adopted by the LAND family -- y’all include Tracy and me in so many of y’all’s events, and we really enjoy that. But you went back to Clarendon County at a time when there was turmoil in that county. It was near the end of the Civil Rights Movement era, but there was still a lot going on in these rural counties in South Carolina. And when you and Marie went back, you staked out a position that you were going to be for fairness, equality and justice and that was not always popular. You alluded to that as you talked about your former law partner and running against him.

I know you personally went about the business of the secretary of the Democratic party and as an unelected person making sure that all of the offices in Clarendon County from the courthouse to the sheriff’s department became integrated and you made sure the county itself reflected the population of the county. I think everybody knows that. But beyond that, Marie and JOHN LAND made a true commitment to the public school system of South Carolina. There was a time in Clarendon County where it was somewhat popular to send your children to private school. And JOHN said, “No, that’s not the example I’m going to set. We’ve got good quality public schools if you invest in them, and you can’t invest in them if you don’t put your children there. And the LAND children will be there.” And you and Marie were probably at the PTA meetings every time the doors have been opened for parents to be there. You’ve stood for equality and justice your whole career.

Even though, when we were hunting that time you had the Dick Cheney moment, the birdshot went off the tree and hit me in the ear, and I’m still here to tell about it. It didn’t bleed that much. But, anyway, I look forward to still continuing to hunt and fish with you.

Maybe you’ll travel together and some of y’all know Senator LAND and his wife and my wife and others had a chance to go to Turkey. When we got to the airport, we were going to meet in Chicago and travel to Turkey. When we got there, someone said, “Where’s John and Marie?” They said, “They’re coming from New York.” I texted JOHN and he texted me back and he said, “When will we see you in Turkey?” I said, “We’ll meet you in at 10:00 p.m in Constantinople.” He said, “We’re going to Istanbul.” Marie said, “It’s the same place.” But we had a great time then.

And even though you’re not going to be my roommate, if you want to come here and spend the night, we’ll have a place for you to stay. If you want to drive up for supper, there is always a place at the table. I speak for everybody here, on every level -- we’ll miss you. The Senate, the State of South Carolina will miss you, but there is a lot of good to be done in the role of retired Senator and I’m sure you will find the moments where you will continue to shape public policy in this State and we wish you well.

The Senate Resolution was adopted.

S. 1577 -- Senator Land: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JOSEPH LYDE “JOE” GRAHAM, JR. UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-TWO AND ONE-HALF YEARS OF OUTSTANDING SERVICE AS A TOWN COUNCILMAN FOR THE TOWN OF TIMMONSVILLE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1578 -- Senators Courson, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Ford, Grooms, Gregory, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO COMMEND THE HONORABLE PHIL P. LEVENTIS FOR THIRTY-ONE YEARS OF DISTINGUISHED SERVICE UPON THE OCCASION OF HIS RETIREMENT FROM THE SOUTH CAROLINA SENATE, AND TO EXPRESS DEEP APPRECIATION FOR HIS CONTRIBUTIONS TO OUR STATE AND TO HIS CONSTITUENTS.

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Whereas, the Honorable Phil Peter Leventis has served the citizens of Lee and Sumter Counties in District 35 in the South Carolina Senate since 1981; and

Whereas, born in 1945 to Tina and Peter Leventis, he graduated from the University of Virginia in 1969, during which time he met his wife Ellen Venable “E.V.” Locker, whom he has been married to for more than forty-three years and together they have raised four children, Gregory, Henry, Peter, and Christina, and they have three lovely grandchildren, Lucy, Henry Cabel, and Eleni; and

Whereas, after he served our Nation in the United States Air Force from 1969 to 1974, he was in the South Carolina Air National Guard from 1974 to 1999 and retired as Brigadier General from McEntire Air National Guard Base. As a fighter pilot, he flew twenty-one combat missions over Iraq and Kuwait and volunteered for active duty during the Persian Gulf War. For his honorable service he was decorated with an Air Medal, Air Force Commendation Medal, and a Distinguished Flying Cross, and he was named South Carolina Aviator of the Year in 2006; and

Whereas, when Senator Leventis left the Air Force, he went back to Sumter to help his father with the family business, Dixie Beverage Company, serving as General Manager. He headed the company and, in 2002, merged Dixie Beverage Company and Central Distributing to become Dixie-Central; and

Whereas, in addition to his legislative duties, Senator Leventis served on numerous boards and commissions, just a few of which include the Sumter Rotary Club, Aviation Hall of Fame, County Airport Commission, Sumter Chamber of Commerce, South Carolina Beer Association, American Legion Post 15, Santee‑Lynches Grassroots Advisory Council, University of South Carolina School of Health Partnership Board, Sumter Community Resource Bank, Sumter County Development Board, Sumter Community Bank Shares Board, general partner in LPT, Chairman and founding Board member of Sumter National Bank, and founding partner with Dixie Aeronautical Services; and

Whereas, in 2002 Senator Leventis distinguished himself as a nominee of the Democratic Party for Lt. Governor of South Carolina; and

Whereas, in 2003 Senator Leventis developed the Blue Granite Recognition Program for State Employees to recognize the outstanding service state employees perform on a daily basis all across South Carolina. Recipients receive a twenty-five pound piece of South Carolina blue granite, the state’s stone; and

Whereas, in 2008 he was honored at the South Carolina Chapter of the International Association of Workforce Professionals by being given the state Public Policy Award and he also received the international version of the award; and

Whereas, Senator Leventis chaired the Senate Agriculture and Natural Resources Committee from 1993 to 2001, during which time he offered a tireless dedication to protecting our environment through his advocacy for land conservation; clean air and water; energy efficiency; recycling; green construction; alternative energy; the reduction of waste; the re-use of materials for fuels, energy, and electricity; protective policies for low-level radioactive waste management; and improved management of solid waste, “mega dumps”, and the Pinewood hazardous waste landfill on the bank of Lake Marion; and

Whereas, Senator Leventis also has a long record of accomplishments, among which are his consistent support for public education, Home Rule, and sound economic policies; and

Whereas, not one to be shy of enjoying the privilege of holding the floor when he believed necessary, during his long career of public service Senator Leventis has always been appreciative of the issues he believes impact all of South Carolina’s citizens, and his service to this State and his community have been admirable. Now, therefore,

Be it resolved by the Senate:

That the members of the Senate, by this resolution, commend the Honorable Phil P. Leventis for thirty-one years of distinguished service upon the occasion of his retirement from the South Carolina Senate, and express deep appreciation for his contributions to our State and to his constituents of District 35.

Be it further resolved that a copy of this resolution be forwarded to the Honorable Phil P. Leventis.

**Expression of Personal Interest**

Senator LAND rose for an Expression of Personal Interest.

**Remarks by Senator LAND**

Thank y’all all for that. I’m not going to do a rebuttal; I promise you.

I have another duty right now. Over the years, people have come to me to plead and have asked whether they should run for office. I said, “There are two things I don’t advise on -- and that is running for public office and getting married. Those are matters of the heart.” You know, advice does not sit well with people on that. But, I want to tell you where that came from and how.

I reckon back in, must have been 1980, a young man from Sumter named PHIL LEVENTIS came to my office in Manning and brought me a book. He had black hair, was well-dressed and wore a bowtie. He told me that he was going to run against Senator JOHN MILES and wanted to ask me what I thought. That’s before I adopted the policy of not advising on those things. After talking to PHIL a little bit, I was very impressed with him. He had come out of Richland County and moved to Sumter and was running a very, very successful business. And, he had great respect among all the people in Sumter County and the business community, and so forth. But, I said, “PHIL, I just don’t see you being able to beat JOHN MILES. JOHN’s got a pretty good base.” PHIL said, “I think I can win.” Of course, I served with JOHN MILES and we sat back there where the Senator from Spartanburg sits and the Senator from Dorchester sits. Something would be going on on the Senate floor and JOHN would say, “I’m going to get up and speak on that.” I would say, “Huh-uh, no, don’t. JOHN, don’t do it.” “No,” he’d say, “I’ve got to go.” And, afterward, he would say, “LAND, I wish I would have listened to you before I got up there.”

But, anyway, PHIL decided to run for the South Carolina Senate. At that time, the district encompassed all of Clarendon County and Sumter County. The district was comprised of two seats back when they were designated seats -- one seat was number one and the other seat was number two, both running in the same counties. Anyway, PHIL got out and started running and he took one good punch at JOHN MILES and JOHN never could get over it. He just fought him back the whole time and lost all sight of what the race was all about, and PHIL went on to win. PHIL never seemed to have held that against me -- even though I told him I didn’t think he could beat JOHN MILES, because he went on to do just that.

But, PHIL and I have served up here together for 34 years, and we’ve had a wonderful, wonderful relationship. I can’t tell you in this Senate and to those listening what great respect I have for PHIL LEVENTIS. He is as smart a man as we have in this Senate. He has great intellect. He has something that I wish I had, and, I reckon, Senator from Sumter, you would have to call it stubbornness. I mean, once he’s made up his mind -- I’m talking about it’s just like the old mule! You cannot change it! But, it has served him well! And 99 times out of 100, he was right.

PHIL, I just can’t say enough about your service to the people of Clarendon and Sumter Counties. You have seen Clarendon really change from a truly agricultural, farming community -- a little small farming community -- to a very progressive county. I brag as I go about the State, Senator from Aiken, talking about Clarendon County. Of all the rural counties, Clarendon County is the only county which had a true population growth -- 15%. All the rest of them either lost population or struggled to hold their own. Even the county of Williamsburg, as much as we’ve invested in it, hasn’t fared as well. But I tell you that because -- of course, I’ve always said it was because of the likes of all the people from Florence and other places coming down and buying those homes out there -- paying that 6% tax assessment rate and not using our services except on the weekends and the interstate.

Of course, with political leadership -- and that political leadership I’m referring to, Senator from Sumter, is the leadership that you gave us from Sumter. And I’ve watched Sumter grow, and Sumter has really taken off like a rocket ship. That’s because of the guidance that you’ve given Sumter through your business acumen and your public service. We live in a much better area of South Carolina -- Sumter-Clarendon -- even though you’ve moved to Lee County and serve that area and have no more of Clarendon County, we always have considered you one of our Senators there. You have truly distinguished yourself by the services that you’ve given to Clarendon County but more especially Sumter County.

I tell the folks in this Senate that the people of Sumter County truly love you. They love the work that you’ve done -- you and your wife both, y’all have been strong, upstanding, public school people in Sumter County, and you’ve raised a beautiful family right there in Sumter and have sent them all over the world -- now, all over the United States.

Every time I have a case against your son, Peter, I’m amazed because Peter looks like you did -- a little heavier, but he looks like you did when you first came to my office in the early ‘80s, saying you were going to run for the South Carolina Senate.

You have served here with such distinction over the years, and I am just so proud to have been a part of a team that represented Sumter and Clarendon Counties in the South Carolina Senate and I can’t thank you enough, from the bottom of my heart, for the kindness that you’ve always shown me.

We very seldom would vote differently. We most often voted just alike, but I cannot remember Senator LEVENTIS and I ever having had a cross word in the years that we served together. I credit that more so to you than me and I thank you for your service to the people of South Carolina, your service to this Senate and the county which sent you up here, and I just thank you so much for that.

**Expression of Personal Interest**

Senator ROSE rose for an Expression of Personal Interest.

**Remarks by Senator ROSE**

Mr. PRESIDENT, I’d like to make a comment about the Senator from Sumter from my desk.

Gentlemen of the Senate, the most moving single moment I recall in this South Carolina Senate occurred when the Senator from Sumter returned from the Gulf War. Now, he had flown 21 combat missions. I want you to think about this. He risked his life, he left his family, his wife, he left the Senate, he left his job, his business, and he volunteered. He didn’t have to do that. And, this was a real war where we actually thought there were weapons of mass destruction.

When he came back and said to the Senate “God bless America,” it made an indelibly lasting impression on me. Gentlemen of the Senate, this is the real deal. Being a Brigadier General in the Air National Guard is a big, big deal. Volunteering to leave the safety and the comfort of the position of being a leader in a community and in the Senate to go risk your life in a war like that is a big, big deal. And I just want you to know, Senator from Sumter, I have not only a lot of affection and regard for you but a lot of respect for you.

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

**Remarks by Senator LEVENTIS**

Thank you, MIKE [ROSE]. That means a great deal to me. Those were certainly grand words from Senator LAND and my friend, Senator ROSE. Unfortunately, my note of retirement has started off with an admission that I didn’t know how to tie a bow tie ‘til 1960.

And you told me I couldn’t beat JOHN MILES; but your opinion was right. I didn’t beat him; JOHN beat himself. The reason I won in 1984 is because I wanted to see if I could win because JOHN, as the incumbent, had beaten himself. The apocryphal story about the bow tie is true, Mr. Reading Clerk, and you did it so nicely for a filibuster. I’ll have to get the words and use them. Filibuster in my dictionary starts with a “ph.” That’s why I engaged in it so much, I guess.

In my service and in the proclamation, it did say 31 years of honorable service. So, I guess, the jury is still out on that 32nd year. Is that what I’m left to understand? That I have to complete these next couple of days honorably to get the full measure? I have prepared remarks but I can’t go without mentioning a friend of Senator LAND’s and mine with whom we served. He was a unique individual -- Alex Harvin. He passed away and his wife succeeded him. She, too, was a wonderful person and she has now passed away. Alex and Senator LAND told me I couldn’t beat JOHN. They were right. Alex told me, “Don’t you worry. We’ll get you a nice appointed position after the election.” So, thank you, Alex. I appreciated that, you know? That’s just great!

Several special people joined me today. My wife was here earlier when the PRESIDENT *Pro Tem* and Lieutenant Governor were kind enough to let me open the Session. My wife doesn’t come often, and I told her that was normal. She probably believes that I do that every day. But I appreciate that privilege and it was meaningful to me. As I tell people, there are two things that happen here. There is substance, which is very significant. And we argue about that. That’s what we’re supposed to do. But there is also symbolism. And that’s why it’s important for us, because what we do is taken as a symbol for others, and that’s why I appreciated the symbolism of this morning and being able to open the Session.

I was glad to have my wife, E.V., here with me this morning because she, obviously, predates the Senate and she’s the reason that I’m leaving. Time with her is more precious and important than anything else to me. My son, Peter, has joined me. He’s sitting back there. Peter’s representing our four children. We had only three when I came to the Senate. Our daughter was born about a week after I came here. She is now grown and serves as a public defender in southern Virginia.

As I stated earlier, life in the Senate is about substance. It’s about symbolism, but also extraordinary experiences. I’ve got to tell you that when Peter -- who was a Secret Service agent and quite a muscular guy, and a guy you didn’t want to mess with because he had a gun and knew how to use it -- was four years old and I was a freshman in the Senate, Governor Riley asked me to come by and visit him and I had Peter with me. While visiting in the Governor’s office, I picked up that young lad and put him on Governor Riley’s desk and a photographer took a picture of him which I still have. When I picked him up to put him down, his little tennis shoes left marks on Governor Riley’s desk. I don’t think they were permanent, but they were cute that day.

My father is now gone and my mother is 92. She was younger when I won this office than I am today. Suffice it to say that it’s been a long, long time. During this time, as with each one of a thousand steps, there is more to life in the State. We’ve had ten foreign exchange students live with us. We’ve had nieces and nephews and cousins live with us. It’s been quite a ride -- and it’s been an incredibly good one or me.

The thing I will always remember about my service in this Senate more than anything else is the people -- the wonderful, wonderful people -- the members, obviously, you and I, Senator from Florence, and actually, the Senator from Lexington and the Senator from Clarendon. I have served with eight of the ten women who have ever served here. That’s pretty remarkable. When we got here, there were a couple of ladies. I remember -- who could ever forget -- Senator NORMA RUSSELL. She was an incredibly interesting person. Back in those days, they had lights that came on when the TV cameras came on. And we all thought the Senator was on a solar battery because every time those lights would come on, she would stand up. And if she wore a red dress, you were going to hear from Senator RUSSELL. There was no question about that. I’ll always remember walking through the garage one day and she said, “Do you know what happened to me?” I said, “No, I don’t.” She said, “I was talking with GLENN McCONNELL last night and he went to sleep on the phone! I was talking to him on the phone and I said, GLENN, GLENN, are you awake?” And I don’t think he was. But she was fairly remarkable.

While I hate to do it because I know I will leave someone out and it will be a sin of omission not a sin of commission, so please forgive me. But the list is fairly long but important. Senator LAND mentioned the desk. I mention Joyce Reid as a representative of the quiet people behind the desk who work so hard to keep this complex body straight. I appreciate them a great deal. The Reading Clerk and our beloved chaplain. Regardless of who you are -- unless you go back to MARSHALL WILLIAMS’ time -- you can’t find anyone who has seen but two chaplains in this Senate. Two beloved, distinguished gentlemen who care about us and who, as Senator RANKIN said, speak at our funerals and understand the trials and tribulations. They are wonderful people and we are blessed to have them. Our dear beloved Chaplain Meetze and our current chaplain, Jim St. John, are special, special people.

In my life, as a member, my administrative assistants started with Miss Elaine McLees and now I have Miss Barbara Lengel, who has worked with me for 12 years. These people have been special and there have been several in between. Probably the most notable is Miss Shamkani. She was a delight. She was younger than I am now, but this was in 1990, and I was 46 and she was almost 60. She was born and raised in Palestine, a Muslim. In 1947, when the Israelis came, she left with her family. In the early 1950s, she married an Iraqi. She went to Iraq in 1958. They had to leave there because the king was overthrown and brutally murdered and she and her husband chose to move to a quiet Mediterranean country bordering on the Mediterranean, Lebanon. In 1987, they had to leave there because of a civil war. I used to ask her, “What’s going to happen in South Carolina? Every place you go there’s turmoil!” You talked about investing in the University of South Carolina. All of her children are graduates and have Master’s Degrees and contributed to this country as much as anyone. She chose to come here because their children went to the University of South Carolina.

Our Sergeant-at-Arms and his staff -- I can’t tell you how many times they have helped us. We should always remember them. Dottie Miller in the lobby and similar folk of all the state employees, having served for 59 years as a state employee -- 59 years! It makes us seem like rookies. She’s got a lot of stories to tell, but I think there are some constraints.

I wanted Ms. Katherine Wells to be here today. She’s symbolic of the staff of all these committees. So very capable and working so hard behind the scenes to ensure that we have the information we need. But I have a request for her because I know that she would like that. It is a copy of all my lawyer jokes in a collection known as “Lowering the Bar”, and I will convey that to her. She will, no doubt, enjoy it.

The list of friends that I’ve made campaigning -- whether they supported me or not, and I know you feel the same way -- is endless. I remember my friend, Cliff Goodwin, telling me he couldn’t support me in 1980. He told me five minutes after I walked in his office and told me why. Cliff was a life-long friend from the time I moved to Sumter until he passed away. He saved me time, was straightforward and told me why and I understood. But the list is long -- Carter Jones, Bill and Janet Lynam. Their children have grown up with my children and now their grandchildren. It’s remarkable and something that makes this job worthwhile, as difficult as it can be from time to time. Those are the benefits.

Senator LAND mentioned our friend, JOHN MILES. JOHN was the incumbent, and my friend, Dave McGinnis was going to run against him and decided he wouldn’t. I was going to run for Dave’s House seat and Dave said, “I’m going to run for my House seat.” I wasn’t going to run against Dave McGinnis but was in a campaign mode so I thought, “Shucks, I’ll just run for the Senate seat.” What did I know? Not much, to say the least. But I beat JOHN in 1980, and I know that was painful for him. I beat him again in 1984. I begged him not to run because of the new redistricting in ’84. He beat himself in 1980 by a percent and a half, maybe two, but in the new district, as I tried to explain to JOHN, I had beaten him there by 58 to 42 percent in 1980, and, so, in 1984, I beat him 60/40. One of the most remarkable things about politics is that, in the year 2000, JOHN called me. He had finished law school by then and was an attorney. He asked me if I’d mind him making a contribution to my campaign. I said I certainly wouldn’t. Then he said, “Would you mind if I asked some of my friends to give you some money?” And I said, “I would be quite honored.” It let me know that maybe JOHN MILES was a much better person than I was. It was kind of remarkable and we are good friends to this day. We recently appointed JOHN to a committee because he likes to stay involved. But that’s the kind of thing that will happen to you when you stay in the Senate and you serve what, I hope, has been honorably.

Last, but not least -- well, I have to mention Graham Newman, whose father has been active in Sumter politics. When the Republicans took over in 2001, the one thing you did that was most disarming -- and you don’t think I know it, but it was -- you took our staff from us. That was very disarming. You left us with very capable people and we have very capable people now. But you can’t do anything without staff. And, so, I came up with this clever idea. I would get interns from the University of South Carolina, and that probably may have been one of the best ideas I ever had. You get these folks from the Honors College or the School of Social Work or the School of Women’s Studies, and you get exceptional young people who are eager to learn and eager to do remarkable things for you. All you have to do is ask them. For research -- they all carry tablets and can give you answers before you ask the end of the question. I’d recommend them to you. Graham was my first intern. I had a lady from China getting her Master’s from the University in Social Work and the cultural difference was remarkable. She couldn’t wait to open the door for me or see what I needed to drink or whatever. That’s just the way they are. Her English was very good or either her manner were better, because she would laugh at my jokes -- and that’s very difficult to do in a foreign language.

Lastly, the person who worked hardest and served best for me, because of her intellect and dedication and just general energy and stick-to-itiveness -- Ms. Patty Pierce. She got things done that I thought couldn’t be done; but, by George, she got them done. She is a remarkable lady who has done a great deal for her State and nation and I thank her for that. But I look back on the 32 years -- I’m just about done, I don’t intend to keep you for long -- when I look back on 32 years of service here, the first thing I do is I smile a broad smile because, when I came here my family only had three children, my wife was 31. Then there were four. Reagan had just been elected President, the national debt was only 15% of what it is today (that’s an issue we can discuss sometime). I was a young fighter pilot in the National Guard and operating a small business.

As we’ve mentioned, our dear Chaplain Meetze served for 30 years before I came and served another two decades afterward. The senior Senator was Senator GRESSETTTE who was elected to office in 1926, and was still serving in this body when I arrived. Senator DENNIS was second in seniority. He had been serving here many, many years. I don’t think many may know this, but his father who preceded him in this body had been assassinated down in Berkeley County, I think, over political issues.

I’m now fourth in seniority. JACK LINDSEY was fourth in seniority. If you see any parallel, I don’t know what it would be. I don’t know what it would be. Maybe a loud voice would be about the only thing. Because, as JACK would say, this might inure to the benefit of someone we don’t know! Like the video poker people. Anyway, JACK was fourth in seniority and my class included some youngsters -- Senator LEATHERMAN, Senator PEELER, then-Senator McCONNELL. There were eleven in our class. Now only four remain in the Chamber; three in the body, and soon, only two. So, I would commend to you the responsibility for all of us who came at that time. The first 18 years I served here, I served concurrently in the National Guard.

If Senator LAND was always smiling, let me tell you I was smiling also when I used to come here on Tuesday morning because I would leave my house in Sumter about 7:00 and I would go to McEntire. There I would fly one of those jets that burn up copious amounts of jet fuel and go real fast and shoot the gun and drop the bombs, land the airplane and come here. So that’s where the smile came from. Unfortunately, that’s probably where some of the difficulty in teamwork came from. If you’re flying 600 nautical miles, there is not much teamwork involved. But there is teamwork involved in the Senate.

My identity, when I came and, I guess, as I leave, is that the Senate is public service, which I’m very proud of. It’s an honor but more of a responsibility. But who I am and who I will always be, Senator from York, is a military man extraordinaire, that fighter pilot. And that may have shaped me in ways that made it more difficult for you to work with me.

Let me close by saying there are many great memories that I have about my service here. Great in size some of them, but not always pleasant. I was sitting in my office, I remember late 1984, after the election, when I heard that young Senator PAUL CANTRELL had been killed in an airplane accident. He was involved in a very intensive dispute over the election that year. He chose to fly to Charleston when he really shouldn’t have. He left a young family. Politics should never take you there. I also remember walking through the lobby, the lower lobby and realizing the Challenger rocket had exploded and I, along with the rest of the country, was in shock, killing all members of the crew on board including the first teacher to attempt to go into space. It was fairly remarkable. We did not have Session that day. I heard President George H. W. Bush speak here and I remember hearing George Rogers speak here and General Chuck Horner, architect of the war, speak here. I heard Felix Unger speak here -- yes, a member of the “Odd Couple.” I think his real name is Tony Randall. He spoke in the House Chamber one day. Do you recall that? That was really quite interesting and I am absolutely certain I have heard dozens of the presidents of the American Legion speak here. I haven’t kept an absolute count, but I believe in the dozens; it may go higher.

I especially remember leaving this body very quietly after the Session on January 8, 1991. I had volunteered for service in the Persian Gulf War and, at that particular point in time, most didn’t believe the war would come as no one thought that Saddam Hussein would reject President Bush’s and the world’s demands that he leave Kuwait. But I knew differently because I had spoken with Chuck Horner two days before, and he and his wife told me it was not a matter of “if” but “when.” The uncertainty about my personal future and that of my family as I left was only exceeded by the certainty that very clearly, my country needed me. I would commend to you as I leave, to remember that today and tomorrow, your country needs you. Your State needs you. Your community needs you.

I will always remember the support that you gave me and my family when I was gone, and I will tell you that, for the first time in my life, I realized that prayers really, really matter. I felt those prayers. as I proceeded north to attack the soldiers in Kuwait and Iraq and then to have them return the favor. I felt those prayers. I really hope none of you or any of your children will have to endure that because it is traumatic and it is something that should be a last resort for any country or individual. January 1991, the country’s future was threatened, and everyone understood that.

It’s a very intense time and you just don’t know if there is a tomorrow, so a lot of my friends were smoking cigarettes in Saudi Arabia. You know that’s bad for you, but they really weren’t worried about their long-term health at that point in time. And it was kind of remarkable that one of the most notable letters of support and prayers that I got was from Jim Fields, former clerk and intense adversary on the field of public policy against what I thought or what he thought or vice versa for many years. His warm letter of support and friendship meant more than I can express as I was proceeding to fly another combat mission with similar folk of the great sense of community -- we shared in our nation at that time of trial and ordeal. All of us came together for our country.

My son, Peter, said that I should mention my favorite time in the Senate. He shared with me that his favorite time was when my cousin, his uncle (Justice Costa Pleicones) married he and his wife right here in the State House in October about seven years ago. Senator ROSE stole my thunder, to some degree, but if anyone is going to do that, I would prefer it be someone with whom I have had a friendship as deep and long as the one I share with Mike. But my favorite day in the Senate was the day that I returned from the war. Whatever trials and tribulations lay ahead of me were not a concern to me then. The threat to my life and my family and my country was past and I felt a sense of peace and calm that you should be so fortunate to feel at any time in your life. It was magnificent.

So my wish and prayer today as I leave you is that our great country, but more importantly our Senate, could regain that sense of community so we can move forward. It will only be in moving forward together that this country, our great State and our communities will retain greatness for our children and our grandchildren and our great‑grandchildren. I should close by thanking all those people who have sent me here all these years, especially the 41 in 2004 who made the difference of over 30,000 votes for me to win, I haven’t been able to identify them, but I’ve had about 15,000 claim that title. But, I thank them for it.

I thank you for enduring my intensities, hopefully for enjoying the friendship without regard to party or anything but the shared common experience.

I am thankful for the responsibility and the honor of being a member of this Senate. God bless you, and God bless America.

**Expression of Personal Interest**

Senator SHEHEEN rose for an Expression of Personal Interest.

**Remarks by Senator SHEHEEN**

Gentlemen, I would be remiss if I didn’t say a few words about the Senator from Sumter who has shown incredible kindness to me over these last few years, as well as the Senator from Clarendon. You know, when people ask me who I love the most in the Senate, I always say JOHN LAND. When people ask me who I admire the most in the Senate, I always say PHIL LEVENTIS.

Gentlemen, if you’ve flown with PHIL LEVENTIS, you will know he is one of the best pilots with two of the steadiest hands and one of the most trusted people you can be around. If you’ve driven with him, you take your life in your hands because he drives a car like he flies a plane -- very scary.

The reason I want to say something very briefly about Senator LEVENTIS is I think he has a trait that is much missing in this world and especially in the world of politics and government. Senator ROSE spoke about his physical courage to stare down danger and live through difficult circumstances during the time of war. But, he has something that's more rare in today’s world and government and politics especially, and that is courage of character. Senator PHIL LEVENTIS never ever -- you never hear him say, “Oh, I have to vote this way because I’m worried about how that will affect my re-election.” He always voted his convictions.

Thank you.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Remarks by Senator SETZLER**

Senator from SUMTER, Senator LEVENTIS, you referenced when you left for the Persian Gulf and I will tell you in my time serving in the Senate, when you returned from serving in the Gulf War, it was probably the most memorable day to that point, as Senator ROSE referenced, that I had the staff look up the letter that you submitted when you left for your service and your comments you made when you came back. All I can say to you is to thank you for allowing me to live in a free country.

**Expression of Personal Interest**

Senator GREGORY rose for an Expression of Personal Interest.

**Remarks by Senator GREGORY**

Senator from Sumter, Senator LEVENTIS, I don’t think it’s been mentioned in the comments so far, but I’d like to thank you for the tremendous hard work and dedication that you have shown over the decades to the environment of South Carolina and to the conservation of the natural resources of our State.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Remarks by Senator MALLOY**

We are here today to honor the service of the Senator from Sumter, Senator LEVENTIS.

Senator LEVENTIS stands in the gap many times because that is what he believes in.

I will never forget when there was a controversial matter over here -- somebody says, we need to get his cousin, who was a very significant individual, and we need to bring him over here to speak to the Senator from Sumter. And Senator LEVENTIS said, “That’s fine.” But he said, “I’m fundamentally opposed to it.” And, how many times do we utter those words, “I’m fundamentally opposed to it.”

I look at what happens here in this body -- the way I could best describe it is that Senator LEVENTIS is not for “self.” He is for everyone else. He’s willing to put himself out there and sacrifice to defend what he believes in. He stands in the gap. He stands in the gap when nobody else will.

One of the most honorable things during his thirty some odd years of service happened just the other day. He stood before this very body and said, “I would like to see the Senator from Orangeburg, Senator MATTHEWS, in a seat on the front row. It is something I want to see before I leave this body.” The Senator is very honorable. How many of us would end up putting others first?

I serve on the Lee County Delegation with Senator LEVENTIS. I would tell you, I have never had a cross word in ten years of serving with him. No matter the circumstances that came out of that county, he represented them well. Whenever there was chaos, he was calm in the midst of the storm because he was always prepared to be a peacemaker. He was always prepared to do what was right, and he always gave us the benefit of his experience. And, boy, you heard a lot about his experiences today.

We can only begin to touch on the experiences that he has had.

You know, Senator LEVENTIS is a brilliant fellow. He has a mind like a computer. Whenever he speaks to this body, I have to listen carefully to the words that he’s using. He is so eloquent in his message.

This is a sad day in this body. Senator LEVENTIS, we could never replace you. The days of your service -- the kind of service that you have offered -- will be hard to emulate. Many of us can talk the talk, but you walk the walk. My mother was always very warm to a song that they sing in my church, “My works speak for me.” So whether or not he ever has another opportunity to speak from this podium -- and I know many of you, we have said and they have said a lot of times -- you know, “He speaks on and on and on.” But that’s his passion. Would you speak for something that you believe in?

I just want to thank Senator LEVENTIS for standing in the gap.

So, Senator from Sumter, Senator from Lee, I just want to thank you.

Those of you that live in my district will have heard this many times, but I have a little bit of a poem that I would like to read: “I’d rather see a sermon, than to hear one any day. I would rather one walk with me than merely tell me the way. The eye is a better pupil -- more willing than the ear. Fine counseling is confusing, but your example is always clear. And the best of all preachers are the men who live their creeds for the seed of good put in action is what everybody needs.”

And the last paragraph says, “One good man teaches many. Men believe what they behold. One deed of kindness noted is worth forty that are told. He who stands with men of honor learns to hold his honor dear; for right living speaks the language which to everyone is clear.”

Though the able speaker chose me with his eloquence, I just say I would rather see a man than hear one any day. Senator, I thank you for living the life that you don't have to speak. Your life is evidenced by your service and evidenced by your family.

Thank you.

**Expression of Personal Interest**

Senator ROSE rose for an Expression of Personal Interest.

**Remarks by Senator ROSE**

Gentlemen, I will be brief, but I would like to say a little more about Senator from Sumter. When I first became Senator, I did have the privilege, Senator from Kershaw, of flying with him. He came to Summerville. He picked me up and flew me over the dump in Sumter that he was leading the charge to close. And flying with Senator LEVENTIS is an experience. He’s obviously a very accomplished pilot. Members of the Senate, I went to college at the United States Air Force Academy. Within two years of my graduation, two of my roommates were dead in air crashes due to Vietnam. We were just young -- 21 years old. We graduated and by age 23 they were gone. That’s why I appreciate what Senator LEVENTIS did.

Now, we have a citizen legislature here. The National Guard is a citizen military defense body. Senator LEVENTIS did not have to go to that war. He risked his life and left the comfort of position, money and stature to fight for freedom and to what turned out to be a very successful venture. But, really, he could have been one of those who didn’t make it home. So I just want everyone to think about what we owe to the Senator from Sumter and the example of character that he has set. I think the single proudest thing I have done as a Senator is to get the Pledge of Allegiance Bill passed because that means that young people going through public school are saying the Pledge of Allegiance daily when it was documented that a large number -- like 40% -- weren’t. When I went to public school in North Charleston, everybody said the Pledge of Allegiance every day. But we were not doing that in many of our public schools before passage of the Pledge of Allegiance bill. The relevance of this is that the Senator from Sumter, Senator LEVENTIS, is a living example of selfless character in which he risked his life for our freedom. I want everybody to, to realize that.

Thank you.

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

**Remarks by Senator COURSON**

Mr. PRESIDENT, I have known the Leventis family for a longtime. His father, the late Pete Leventis, a member of the Richland County Council, was a Republican. Somehow or another the Senator from Sumter goes out and gets in that Sumter-Clarendon County mix and just couldn’t become a GOP Senator. I have known Senator Leventis for roughly 30 years. I was the insurance broker for his father’s distributorship. I first met the Senator in 1982. I would drive down to Sumter County, and this was prior to my election to the Senate, and we’d go to Big Jim’s because that’s where he liked to eat. He didn’t want to talk about insurance. He wanted to talk about the GSX Facility in Pinewood and how mad he was about it. We rarely talked insurance at all.

He has a great legacy - apparently those Americans who were involved in Desert Storm and Desert Shield didn’t have a lot of social activity. It was an Islamic State. He wrote letters. I must have gotten 3, 4, or 5 letters from him. I asked if I would have permission to print them, and he said, “No”. Colonel LEVENTIS had just returned from a mission on an F-16 and had attacked an Iraqi ammunition dump. After dropping his bombing payload he looked at the damage and said, “Lord, please don’t let them shoot me down because they are going to be awfully mad at me for doing this.”

Senator, your strong interest in public education, your support of State employees, but more importantly, I think you have been the conscience of the conservation community in the Palmetto State. We both received the Green Tie Award, and the Senator from Kershaw received it and then the Senator from Charleston, and that is your great legacy. I don’t think this State will allow some of the abuses to our environment to occur in the future because of your work in helping me put together the coalitions so that we can continue to sustain our environment in the Palmetto State. For that, I salute you, sir.

**Expression of Personal Interest**

Senator MATTHEWS rose for an Expression of Personal Interest.

**Remarks by Senator MATTHEWS**

Fellow members of the Senate, it gives me great pleasure to say a few words on behalf of a very distinguished Senator. One of the things that reminds me of his kindness and generosity is his commitment to our country. When he decided to leave here and go to Iraq, I had two sons serving in Iraq at the same time. I can remember that I could never figure out why he would volunteer to leave when he didn’t have to go. I thought that was really the test of the character of this man. You know, it has often been said that the true character of a man is how he treats those who cannot help him back. Truly, when he made that commitment, it went to the heart of his character.

The second thing Senator Leventis did that really touched me occurred a couple of weeks ago when he decided that he wanted to move his seat to the back row of the Senate Chamber. I had no idea what he wanted to do, and on that day I was walking in and out of the Chamber because people were calling me. He said, “I want you to stay here because I want to make a statement and I want you to hear it.” And I replied, “well, I have probably heard it before,” so I kept moving around. And, finally when he made the statement, he really caught me off guard, and I think that went to what I call the heart of the man. So, Senator thank you and your kindness will be forever remembered.

So I went to my office that day, and I wrote a letter to the Senator. And I decided I would give this letter to him on the last day of the Session. But, then I forgot about today. And so, Senator, this is my personal letter from me to you thanking you for your extended kindnesses to me. I will never forget you.

The Senate Resolution was adopted.

S. 1579 -- Senators Courson, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Ford, Grooms, Gregory, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO COMMEND THE HONORABLE W. GREG RYBERG OF AIKEN COUNTY, FOR HIS NINETEEN YEARS OF DEDICATION AND COMMITMENT IN SERVING AS A MEMBER OF THE SENATE, AND TO WISH HIM SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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Whereas, the Honorable W. Greg Ryberg of Aiken County, has represented the citizens of Senate District 24 for nineteen years with industry and excellence; and

Whereas, Senator Ryberg earned his B.S. degree in Mathematics from Marquette University in 1968 and honorably served his country in the United States Army Reserves National Guard from 1968 to 1974; and

Whereas, Greg Ryberg’s competitive spirit was formed at an early age when he became the 1957 Eau Claire, Wisconsin marble champion; and

Whereas, since 1999, he has been Chief Executive Officer and President of REI, Inc., and from 1977 to 1999, he was President of R&H Maxxon, Inc.; and

Whereas, Senator Ryberg served a vital role in the extensive renovations to the State House in the mid‑1990’s through his service on the State House Committee; and

Whereas, the handlebar mustache Senator Ryberg donned when he first came to the Senate will always be his trademark; and

Whereas, Senator Ryberg additionally serves on numerous boards and commissions and was the 1998 Ernst and Young Entrepreneur of the Year for the Carolinas in the retail/wholesale distribution category; and

Whereas, during his tenure with the Senate, his many committee assignments have included the Corrections and Penology, Education, Finance, and Transportation Committees, and he has ably served as Chairman of the Labor, Commerce and Industry Committee since 2007; and

Whereas, over the years he has received numerous awards including the Greater Aiken Chamber of Commerce “Businessperson of the Year” in 1994, BIPEC Guardian of Small Business Award in 1998, Ernst & Young Entrepreneur of the Year for the Carolinas in 1998, a South Carolina Taxpayers Association Friend of the Taxpayer Award in 2004, 2005, 2006, and 2009, and a South Carolina Chamber of Commerce Public Servant of the Year Award in 2010; and

Whereas, Senator Ryberg proved to be a worthy debater when it came to issues concerning the South Carolina High School League, the State Retirement System, the State Treasurer, the Department of Transportation, and the Department of Employment and Workforce; and

Whereas, the members and staff of the South Carolina Senate looked forward to the days when his beloved wife, Betty, would join Senator Ryberg in the Senate Chamber since she always brings a smile to his face and a kind and gentle spirit to his demeanor; and

Whereas, he and his wife Betty of nearly forty-four years have raised three children, Amy, Kyle and Shana, and they are the proud grandparents of Chelsea Rose, Jack, William, Patrick James, Matthew, Maren, and Sonia; and

Whereas, the members of the South Carolina Senate will miss the keen insight and faithful service that Greg Ryberg has provided to the Senate and hope that he experiences fulfillment in all his future undertakings. Now, therefore,

Be it resolved by the Senate:

That the members of the South Carolina Senate, by this resolution, commend the Honorable Greg Ryberg, of Aiken County, for his nineteen years of dedication and commitment in serving as a member of the Senate and wish him success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Greg Ryberg.

**Expression of Personal Interest**

Senator GREGORY rose for an Expression of Personal Interest.

**Remarks by Senator GREGORY**

Mr. PRESIDENT, gentlemen of the Senate. It is my great honor to give the introductory remarks for the Senator from Aiken.

The Senator from Aiken, Senator RYBERG, and I were both members of the Class of 1992. I remember distinctly the first time that I ever met him, which was at a reception prior to us being seated. I remember the enthusiasm he exhibited and the warmth with which he greeted me. That enthusiasm is not an anomaly, but is inherent in all that the Senator from Aiken does. His enthusiasm combined with a powerful intellect and dogged determination has made him one of the most effective members of this body over the last two decades. However, success in politics does attract detractors and the Senator from Aiken has had one or two detractors over the course of his career here.

The Senator was born in Wisconsin where he reigned as the Eau Claire Marble Champion in 1957. He grew up down the road from Carson Park where an affiliate of the Braves played baseball and he told me that he spent part of his childhood chasing balls that were hit out of play by Tommy and Hank Aaron. He went on to Marquette University where he met his wife, Betty, and where he now serves as a member of the university’s Board of Trustees. He moved to the State of South Carolina in the early 1970s and bought a small oil jobber business; growing it from one location to fifty-three and from a few employees to 550 employees. That’s what I call being a job creator.

He ran for the Senate in 1992, and won. He’s only had opposition once since then. I think he is loved and admired by all of the people of Aiken County. They are proud to call him one of their own. I had the opportunity several weeks ago to go to a retirement party in his honor -- a surprise party -- and it seemed like the whole town turned out. There must have been over 500 people there. The Senator has lived in the South for going on 40 years now. I think that in his heart he is a Southerner. He is truly Southern in most every way possible but one. There is a saying that I’m fond of which is, “Southerners are polite, but not sincere.” I think that’s where the expression, “Bless your heart” came from. I think it’s very true of Southerners -- most of us are polite, but not necessarily sincere all the time. That is where the Senator’s unvarnished mid-western directness has been refreshing and has served him and this State well. The writer Ambrose Biercesaid that, “Politics is strife of interests masquerading as a contest of principles.” The Senator from Aiken has never been one for duplicity. Therefore, he has always seen service as a contest of principles. He has always held the high ground. His principles led him to confront tough and unpopular issues of which he has lost more than he has won. His victories are impressive and numerous and this includes the fight to end video poker back in the 1990s and gaining primary enforcement of the seatbelt laws -- a victory that has saved hundreds of lives.

The bipartisan effort to reform and preserve the South Carolina Retirement System will be his lasting legacy. It took him years to finally convince this General Assembly that there’s no more road down which to kick the can. In addition, he has been successful in seeing the expanded use of automated defibrillators in South Carolina which has saved more lives. He has worked for the passage of the South Carolina Efficiency Act and he has worked to curb Shaken Baby syndrome. In everything he has done, he has been a friend of the South Carolina taxpayer.

In spite of all that he has accomplished -- both politically and professionally -- I’m sure that he would tell you the thing that he says he is the most proud of is his wife, Betty, who is with us today. She is a force in her own right. He is proud of his children, their spouses, and seven grandchildren. His retirement will be our loss, but even more importantly, it will be their gain.

Let me close with these words to describe the Senator from Aiken -- always fair -- always faithful -- always willing to reach across party lines -- always tough minded and determined -- always concerned with service other than self -- always serving with the highest integrity. That is good service to this great State and this General Assembly.

**Expression of Personal Interest**

Senator RYBERG rose for an Expression of Personal Interest.

**Remarks by Senator RYBERG**

Mr. PRESIDENT, and gentlemen of the Senate, I appreciate first of all GREG GREGORY and the comments that you made. Actually, the issues that you addressed are the issues that I’m most proud of in the service I have had here in the South Carolina Senate. At the end of GREG’s comments, he referenced my family and actually that’s the only thing that will ever tear me up. I had two speeches written, one if Betty attended and one if Betty didn’t attend. But since she’s here, I have got to talk about her.

Over 45 years ago, while I was a student at Marquette University, I met this young brunette who had a wild blond streak that ran through her hair. The way I met her was when she poured water on my head from the third floor of the girls’ dormitory while I was kissing my date good night. Right after that, I thought, it has to be better and easier to date her than to stand out in front of the dorm on a cold winter night in the State of Wisconsin. How fortunate I was when I asked her to marry me she said, “Yes.” And after three children, seven grandchildren, the rewarding business career and twenty years in the South Carolina Senate, I realized it was so special because she was there with me. Some speak of their spouse as the one who has changed their lives; Betty actually took it to the maximum because she not only changed my life, she actually made my life. I know you have all met her and I’m proud to have her stand one more time and thank her for being my life partner.

I have always liked to determine my own exit plan -- whether it was when I sold my business or when I was escaping the neighborhood bully. So I am extremely happy today to be able to determine this exit strategy.

As I have said often, I wanted to come to the South Carolina Senate to make difference. I, in turn, wanted to leave the South Carolina Senate while I’m still relevant. I feel like the teacher who still gives homework before the last day of school. I wanted to share that same passion in my service until the very end. I think -- actually, I know that you felt that passion as I talked about all the kids in South Carolina being able to play sports. I was pretty darn pleased that one of the last fights I chose to fight was about kids and playing a sport. I have often told my family that the only page in the newspaper I ever wanted to see my name on was the sports page.

On reflection, I think that the South Carolina Senate is all about relationships. When I was first elected, I had to rely on my gut instincts about people. These early relationships -- I know you won’t find this hard to believe -- were difficult to wrap my brain around because many of the votes in the Senate seemed to be based on those relationships that had been formed for years, rather than on an issue. But in the middle years of my service, I realized some of that merit. In the beginning I observed and assessed people. So in those middle years I realized that, if you can follow your gut instinct and know who you can trust, who you can rely upon and who is an expert in the field, you could form a judgment on how to vote or how to lead based upon those relationships. This is an area I think we should continue to embolden. If there is a question about Constitutional law, I find that member of this Senate or that member of staff that’s the expert about Constitutional law. If it’s about the state port, the State Ports Authority, I find that expert. The same holds true about medical affairs, finance, debt, business, investments, tax credit -- I find that expert and use their knowledge.

For example, in the shaken baby syndrome training procedure that we adopted and passed as a General Assembly, that law came to me from a highly respected pediatric care nurse in the ICU. The seat belt law actually grew on me as I was approached by medical personnel and directors of people serving people with disabilities, and all those who grieve after a preventable injury. The retirement system, DEW reform -- we had to depend on experts from the legal profession, experts that are actuaries and we had to depend on just tons of work and staff and outside experts to deliver the product that I think was most needed in South Carolina. I believe in the seeking out of experts in a field in which I am unfamiliar. While I was in business, one thing I learned from the experts in the field -- in my field -- was this, “Know what you don’t know. Know what you don’t know.” Ask people for advice. Ask people for help.

On another note, I will never forget when I asked one of you why you voted cloture on an issue. I was told that two years earlier I had voted cloture on him. I quote, “Now we are even.” My votes have never been based upon who voted with me the last time or who I wanted to even a score with. My votes were based upon the specific issue before us at the time. My effort was always to seek people with whom I had a trusted relationship, who I considered experts in their knowledge of the subject of the moment. I sought out such experts as members of this Senate, but I wanted to -- like the Senator from Sumter -- talk specifically about some of the experts that don’t get the credit that they deserve.

Behind us we have a panel of experts. Behind me I have a panel of experts. And I would like to ask them to stand and be recognized -- Darlene Griggs, Joyce Reid, Agnes Walker and Cynthia Aiken. Y’all know they keep us straight. They keep the train running on the tracks and on time. In addition, what you may not know is they’ve got the perfect view to see absolutely everything that is going on in here and one of the four is writing a book to tell it all when she retires. Thank you all for what you do.

In addition, behind me, of course, is the Clerk, Jeff Gossett, Mike Hitchcock, Ken Moffat -- Ken is here somewhere -- and Ann John. Ann John is extra special because she is a good friend of my dear friend, Gale Kennedy and Gale Kennedy was one of the people that kept me straight for the 15 years that she and I were together.

But I want to recognize a group of individuals also, other staff members that I think were so important to what I did here in the Senate. They were Senate Finance staff. I understood numbers. I understood arithmetic and actually talked about a couple of issues as a math problem. I talked about the retirement system as a math problem. I talked about DEW as a math problem and it started out as a math problem but then you have individuals that are involved and it became a personal issue in addition to the math problem. But I can tell you, Senator from Florence, how good a staff you have with people like Mike Shealy, Angie Willis, Craig Parks and Diane Caraway to name a few. Those are the ones that I have worked closely with. In addition, we have -- and we didn’t have this when I first came here -- but we had somebody from the Republican side and somebody from the Democratic side that always, always assisted both sides of the Chamber. I can’t say that I have met an individual that was more helpful, Senator LAND, than DeAnne Gray and what she has done. I can’t tell you what a pleasure it has been working with you on the research side, Senator.

On our side we have Mark Harmon and I have most enjoyed working with him and I think he has been a real asset to us in this Senate. Often you would hear Senator LEVENTIS jump up and just scream if I used the word “bureaucrat.” Okay? Well, I want to say, let me just mention -- I will talk about bureaucrats for just a minute so make sure you pay attention, Senator LEVENTIS.

But before I get to that, I don’t know if I would have been here the entire 20 years if it hadn’t been for my staff, Mr. Danny Varat. Danny, I’m so happy today that you brought your wife and lovely daughter. I will tell you what a great staff individual Danny is, and I appreciate your sharing him -- not only with me but the South Carolina Senate, and I will tell you that he has made a real difference here. But on this, the Senate staff belies the attitude of so many when they negatively reference bureaucrats. Y’all are awesome. The fact that you could make me look a little bit good from time to time tells you how awesome you are. And I appreciate your service, each and every one of you, and what you do for the State of South Carolina.

Keeping my Senate philosophy apart from personal relationships has worked for me. It never bothered me to eat lunch with any one of you or eat dinner with any of you. I’ll talk about the Green Bay Packers or Carolina Gamecocks or Clemson Tigers. I’ll talk about golf tournaments or college basketball and then the next minute or next ten minutes find myself on an opposite side of a vote. I have never taken someone’s vote personally. Y’all shouldn’t either. The Governor from my native State of Wisconsin has made the news a lot lately. Governor Walker is today going through a recall vote. He recently said, “When an elected official keeps his word, it is called courageous. In every other profession, to keep your word is expected.” Everyone here should strive to be courageous.

A friend of mine in the House, Ralph Norman, early on when I was elected, said to me, “It is most important that before you are elected you have done something important. Otherwise, you might think that you are important because you are elected.” It is what we do in the Senate that should make us proud -- not that we are Senators. Senators are important, but they deserve respect for what they do, and not just for being elected. I am proud of the work together we have accomplished and I look forward to retiring while I’m still relevant.

As far as accomplishing something, before I was elected, it has already been stated twice, but I was the marble champion at the age of 12. Some of you shy away from your accomplishments. I dove right into them. In addition to that accomplishment, in my grownup years, I de-beaked turkeys. I was a pudding packer for the Sealtest Pudding Company in Wisconsin which was owned by my friend. I artificially inseminated turkeys. So, I think you can all agree and say that I have done at least something important in my life before the South Carolina Senate made me who I am. The work I did here made me feel proud.

I came to the Senate in 1993, with my philosophy of government and my set of values. I am honored that my constituents let me serve, and I wish to report to them that I’m coming home with the same values I had when they sent me here.

I close by thanking each and every one of you for your service. May your continued service result in making South Carolina a better place for all of us.

Thank you.

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

**Remarks by Senator LEVENTIS**

Mr. PRESIDENT and gentlemen of the Senate, I want to make some remarks about my friend, Senator RYBERG, the Senator from Aiken.

I have a high regard for Senator RYBERG for two reasons. The first is, that he and I averaged 6 feet in height and that’s the only way I have been able to make any headway in that regard. But the second thing is that in the last few years, we have worked together on some very difficult and demanding issues. It turns out we are more alike than different. Not necessarily alike in what we believe -- although I don’t think the differences are that great -- but in the way we approach public policy. And it has been fun to deal with issues that may be considered. We understand many issues are digital calculations and can give you some insight. But all these same issues have a human component and Senator RYBERG understands both aspects. And whether we agreed or disagreed wasn’t the real issue. What mattered was that we came up with a conclusion. There is an old notion that if you lay all the economists in the world head to toe, what will they reach? Well, I don’t know, but it won’t be a conclusion. But we reached conclusions on important matters. And we reached conclusions on difficult matters and he was the key. He was the key. And his able staff, Dr. Varat and others and our able staff. I’m so delighted that you recognized Ms. DeAnne Gray because she is an asset to all of us. But, I also am particularly delighted that you acknowledged with great feeling the people with whom you work. I would have expected nothing less.

And I just wanted to rise to say that Senator RYBERG and I haven’t always agreed, but if you value our opinion -- his and mine collectively -- you can find us at the CVS on Tuesday mornings right down the street here and we will be happy to share our opinions with you sometimes in extended manner. I leave here with ambivalence and I know that one of the things I will try to do is continue with my dialogues with Senator LAND, Senator ANDERSON, Senator ELLIOTT and all the ones who are leaving, because of the common experiences that we have.

But my experience has been made better by having worked with Senator RYBERG, and I appreciate it, GREG.

Thank you.

**Expression of Personal Interest**

Senator BRYANT rose for an Expression of Personal Interest.

**Remarks by Senator BRYANT**

Thank you, Mr. PRESIDENT. I will be very brief.

I know it is getting very late. I just wanted to rise to thank the Senator from Aiken for reaching out to me even before I took my oath of office. I appreciate you. A few things that he does consistently that I haven’t quite been able to do -- when a unanimous consent request is made, in one motion he can stand up, grab the microphone with one hand and with the other raise his hand and yell, “I object.” I’m working on that. I can’t do that with one motion.

I appreciate your leadership on the Committee on Labor, Commerce and Industry and the faith you put in me, especially the Department of Employment Workforce and counting scenarios. I don’t know if that was an award or punishing me for something. But we worked it out. I thank you for that. What you see is what you get with Senator RYBERG.

I’m glad his sweetheart, Betty, is here. But I want to tell you something, maybe no one in this room knows except for a few of us and, Betty, you will appreciate this. When he hits the road -- when he goes down to his car to head to Aiken, he takes his iPod out and he thinks of his wife because the phrase, “her lips are sweeter than honey” from the song, Wolverton Mountain plays.

Senator from Aiken, I appreciate you. You have some big, big shoes to fill, but we are going to try really hard.

**Expression of Personal Interest**

Senator LAND rose for an Expression of Personal Interest.

**Remarks by Senator LAND**

Thank you very much.

Senator RYBERG, you are of a great intellect. You are a very, very smart person. And you have seen issues that would harm this State long before the rest of us saw them and you never had any timidity in pointing them out.

I just wanted you to know I enjoyed serving with you. I really have. And I have great respect and admiration for you. I started doubting my own convictions and my own beliefs when in the last couple years, Mrs. Ryberg, your husband and I started voting together more and more; and I didn’t know whether it was me moving toward the Senator from Aiken’s position or the Senator from Aiken coming toward me!

We’ve truly had a wonderful time serving together and I think I’m a better person by having known you and having served with you and having debated you and been on different sides with you and now of late on the same side on issues. But the people of South Carolina owe you a great debt of gratitude for what you’ve done and I am sorry to see you go.

But you know, and as I leave and people tell me, “Congratulations” -- you know, I kind of stopped thinking exactly what that means and what they mean by that. But I say, “Congratulations” to you.

And Betty, you work him hard now when you get him home and you make him go anywhere you want him to go at any time. As I’ve been telling Marie for all these 38 years, “After the Session, I’ll do such and such.” That excuse won’t sell anymore. So you are going to have to come up with a different excuse in the future, Senator, because the Session is over.

We are a better State because you chose to serve and I love you, brother.

Thank you.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Remarks by Senator SETZLER**

Mr. PRESIDENT, I’ll be brief. Senator from Aiken, the High School League wanted to speak at your retirement but we told them they couldn’t.

It’s been my pleasure to serve with you during your service to the Senate and I’ve enjoyed my service with you and particularly over the last few years where you and I have gotten to know each other much better and worked on some very, very difficult issues together and have come out with what, I think, were solutions that were best for the people of South Carolina. I thank you for your leadership on those issues. I appreciate the opportunity to have worked with you. You have taught me and I hope we have taught each other that people with differences can come together and reach a solution that's beneficial to all.

I wish you well and I hope I get to see you in Aiken on a regular basis. God bless you.

**Expression of Personal Interest**

Senator RANKIN rose for an Expression of Personal Interest.

**Remarks by Senator RANKIN**

Mr. PRESIDENT, I want to address my seatmate from my seat and I want to be dead-level honest with you and your wife that for the first few years that we served together, I didn’t like you. And I think I’m speaking for more of us in this room than have spoken already, but I want to tell you, I have always respected you. And the facial hair, I think, might have put me off. Your wife for years, I know, tried to tell you to take that handlebar mustache off. I don’t know if that’s so, but I want to tell you that throughout the years we have served together, I have always respected you.

And I have grown to like you more than I ever believed I would. So, I thank your wife perhaps for making you more likeable and perhaps for opening my eyes. It has been a real pleasure.

He and I are Republicans. Now, he ran as a Republican, of course, the first time. I didn’t. But perhaps he would say I saw the light. It has been a pleasure serving with you and seeing your perspective. and, I think, perhaps the Senator from Clarendon has maybe moved just a touch your way, but you might have moved a heck of a lot more his.

Anyway, thank you, and Betty. Thank you for being friends and great mentor material to this guy right here.

**Expression of Personal Interest**

Senator JACKSON rose for an Expression of Personal Interest.

**Remarks by Senator JACKSON**

Mr. PRESIDENT.

Senator from Aiken, you, the Senator from Horry and I are part of that class of 1993. Senator from Lancaster, you and I were seatmates the first four years. And, the complete opposite of my good friend; the Senator from Horry, I liked you since day one. The problem was nobody could understand why I liked you. And my friends kept asking me, “Why do you like that guy?” I said, “I figured it out.” I said, “I love Betty. And if Betty can find enough good in him to marry him, then he has to be a good guy.”

I will tell you that we will miss you. You’ve always, always been a good friend and you have always kept your word. I could say this about you -- we have disagreed on a lot of issues. We sit next to each other and have canceled each other out in votes over four years, but never once did you get angry or did you take anything personally.

So, we will miss you and may God bless you and Betty. Enjoy your time together in your retirement.

**Expression of Personal Interest**

Senator HUTTO rose for an Expression of Personal Interest.

**Remarks by Senator HUTTO**

Back in 2008, when we reorganized, I was coveting an aisle seat and I said, “Well, I know the Senator from Chester, Senator SHORT, is leaving, and I’ll get this aisle seat. I’m going to wait my turn and I’m going to pick and get this seat. The Senator from Aiken wandered over and said, “Where do you sit?” and I said, “Right here.” and I showed him where I sat, but not where I wanted to sit. He picked this seat next to me -- the aisle seat -- and he picked ahead of me and I said, “Oh, okay, you picked the seat that I wanted.” Then I started thinking to myself, “If he’s going to pick that seat, maybe I will move to the second row or maybe I’ll move over here.” And I asked him, “Why are you picking that seat?” and he said, “I wanted to come sit by you.” I said, “Well, okay, then I won’t move. I’ll stay right there.” Even though I had a chance to move up to the second row, I said, “You know what? I’m going to sit right there.”

And we have become friends over the time that we’ve sat together as part of the Big East Caucus. He graduated from Marquette and I graduated from Georgetown and we call each other and commiserate during basketball season. I was on a ski trip earlier this year and Marquette was just beating up on Louisville tremendously it looked like and I texted him at half time and my son said, “What are you doing?” and I said, “I’m texting the Senator from Aiken and letting him know Marquette is doing a great job.” Louisville came back and beat them. But, we’re going to miss those good times talking about Big East basketball side by side, but I’m sure we’ll still communicate about that.

Betty, I know you all are going to have a wonderful time as he has more time to spend with you and the rest of the family. We’re going to miss him up here. But there’s one thing about him we’re not going to miss, and I actually have prepared a little certificate for the Senator from Aiken. If you will come up, we need to present this to you because we know as you go, this will be the end. This is actually entitled a Certificate of Death. And it reads like this: “Let it be known to all men that the horse on which the High School League Constitution rode suffered a long and painful death upon the floor of the South Carolina Senate at the hands of the Honorable GREG RYBERG and shall from this day forward be spoken of no more.” It was signed by GLENN McCONNELL and Jeff Gossett and I want to you have this certificate. May the High School League Constitution rest in peace.

The Senate Resolution was adopted.

S. 1580 -- Senators Courson, Alexander, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Ford, Grooms, Gregory, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO COMMEND THE HONORABLE RALPH ANDERSON FOR HIS SIXTEEN YEARS OF FAITHFUL SERVICE TO THE CITIZENS OF SENATE DISTRICT 7, AND TO WISH HIM HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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Whereas, for sixteen years, the Honorable Ralph Anderson has represented the citizens of District 7 in Greenville County with consistent integrity in the Senate of this great State, in addition to his prior five years of service in the South Carolina House of Representatives, for a total of twenty-two years as a legislator; and

Whereas, this long-time public servant began his career with the United States Postal Service in the Greenville Postal Office. He went on to become a Postmaster Level 20 in Clemson, S.C. and then a Postmaster Level 21 in Greer, S.C. where he retired after thirty years of service during which he received many accomplishment awards; and

Whereas, he honorably served his country in the United States Army as a non‑commissioned officer with Troop Information and Education at Fort Jackson and Germany from 1950‑52; and

Whereas, Senator Anderson presently lends his expertise to five Senate committees: Corrections and Penology, Education, Finance, Medical Affairs, and Transportation; and

Whereas, one of Senator Anderson’s most important pieces of legislation was S.1318, Act 293 of 2006, the Hospital Infections Disclosure Act, which has saved many lives and healthcare dollars in South Carolina while improving the quality of life for the citizens of the State of South Carolina; and

Whereas, believing that a man should be fully involved in the life of his community and state, Senator Anderson rendered service to numerous worthy organizations including service as a third degree Mason, member of the Phi Beta Sigma Fraternity, Greater Greenville Chamber of Commerce, Family Counseling Services, Greenville Civil Service Commission, Municipal Association of South Carolina, Greenville Branch NAACP, City of Greenville Zoning Board, Phyllis Wheatley Board of Directors, Appalachian Council of Governments, Greenville Housing Authority Board, Senior Action Greenville County, Sunbelt Human Advancement Resources, Community Planning Council, Community Foundation of Greater Greenville, Inc., BB&T Greenville Regional Board of Directors, and the Board of Trustees for St. Anthony’s Catholic School in Greenville; and

Whereas, over the years he has received numerous awards, just a few of which comprise Sigma Man of the Year; Long Branch Baptist Church Award; Award for Outstanding Service, City of Greenville; Citizen of the Year Award, Omega Psi Phi Fraternity; W.F. Gibson Freedom Fighter Award, NAACP; Exceptional Service Award, City of Greenville, Parks and Recreation; Outstanding Achievement in Community Service Award, Baptist Ministers Fellowship; Black Heritage Award in City Government, Springfield Baptist Church; Award for Community Support of Affordable Housing in Greenville County, Community Housing Resource Board and County Human Relations Commission; Award for Outstanding Service in Political Science, Greenville Alumni Chapter of South Carolina State University; and a Whitney Young Humanitarian Award, Greenville Urban League; and

Whereas, Senator Anderson, in his legislative life, is a man with a quiet demeanor yet always knows where he stands on an issue and what he thinks is in the best interests of our state citizens; and

Whereas, he is married to Geraldine Lewis Anderson and together they have three grown children, Valerie, Ralph, and Joel, and ten grandchildren; and

Whereas, the members of the South Carolina Senate will greatly miss the wisdom and integrity that Senator Anderson has brought to the State House. Now, therefore,

Be it resolved by the Senate:

That the members of the South Carolina Senate, by this resolution, commend the Honorable Ralph Anderson for his twenty-two years of faithful service as a legislator and wish him happiness and fulfillment in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to our distinguished colleague, the Honorable Ralph Anderson.

**Expression of Personal Interest**

Senator MATTHEWS rose for an Expression of Personal Interest.

**Remarks by Senator MATTHEWS**

Thank you, Mr. PRESIDENT.

Fellow members of the Senate, it gives me a great honor and pleasure to make a few comments on behalf of a very distinguished Senator who has served this State, Senator RALPH ANDERSON.

One of the things I was doing in trying to get some research on my good friend, Senator RALPH ANDERSON, was to look at his history and what he had done. Because what he did in the past is a clear indication of what he’s going to do in the future. For those of you who may not know this, RALPH ANDERSON, as I affectionately call him, has given two-thirds of his life to public service. He spent 32 years being a postmaster and in other positions at the U. S. Post Office. He spent about six years with the City of Greenville, City Council. He spent almost six years in the House and now 16 years in the Senate.

And, as I said a few minutes ago about PHIL LEVENTIS, the true character of a man can be tested in two ways. When I was talking about Senator LEVENTIS I only listed one. And the first way you can test a man’s character and who he really is or what his beliefs are is to look at how he treats people who cannot help themselves. The second test is to look at people who cannot fight for themselves and how he treats those people. And, truly, Senator ANDERSON has been a champion of helping what I call the little guy. If you are in prison, you are better off because RALPH ANDERSON has been there. If you are in the hospital, you are better off because of legislation he passed requiring hospitals to keep up with staph infections and that made hospitals more responsible. So, this true servant of mankind reminds me of something that a noted African-American educator by the name of George Washington Carver said a long time ago. He said that all of us who live on this earth have a responsibility to leave some evidence that we lived here or that we worked here. When you go back and examine the legislative record of RALPH ANDERSON, you will see that evidence over a 59-year period of service to his fellow man.

So, to this Senator that many of you know -- but I know him as my seatmate and my colleague, RALPH ANDERSON is a very principled driven fellow and kind of a stubborn fellow when he wants to be. He’s this way because when he locks in on a position, that’s where he is and that’s where he’s going to stay. I often tell people that sitting beside RALPH ANDERSON is the kind of Senator that I like sitting by because I know where he’s going to be in the dark. You’ve got to keep your eye on most politicians in the light, but with RALPH ANDERSON, if he tells you he’s going to be in Columbia, or what he’s going to do at a certain time, that’s what he’s going to do. So, he’s been the kind of person that stayed with his principles.

But you know, RALPH, as you leave this place -- a place that you have given your best years, six in the House, 16 in the Senate, and go back to your family and your wife, you can hold your head up and be proud of the record of your service and those issues that you have defended. You have defended the little man every time on every issue and I think that’s significant. So, when you go back and look at your record and look at your conscience and look in the mirror, you can be proud of your service -- what you have done for educators, what you’ve done for those who find themselves in prison, for those who find themselves in hospitals and for the children of this State. We will truly miss you because of that. But more than that, your giving back to your community has probably been the greatest of any of us here.

Finally, I want to say this to all Senators. What is most important is that we give back to our community and to our family and our friends. It is not necessarily the legislation that we pass. It is the example by how we live. RALPH, you have given us a great example to follow and I hope that when you return to your City of Greenville, you find all is well.

I hope that you find peace within yourself, peace within your family; but most of all, we give to you the love of the years that you have served here and we appreciate your friendship.

**Expression of Personal Interest**

Senator ANDERSON rose for an Expression of Personal Interest.

**Remarks by Senator ANDERSON**

Mr. PRESIDENT, and members of the Senate, thank you for that great introduction and thank you to our security staff that has looked out for me during my 16 years here.

First, I would like to thank God who is the head of my life for blessing me to be a member of the Senate because He has worked through me to improve the quality of life for people throughout our State. And I just want to say, “Thank you.”

I would like for the Senate to continue fighting for education and work hard to improve the funding of education. We also need to improve the quality of life for our prisoners. It is my hope that you agree with me that we need to continue to fund health care for the poor in our State. I’m sure that God will bless you for that.

We need more funding for education, because we know that when we invest in education, it’s the greatest investment that we can make in our State and our nation. I know because I was born in poverty. I lived in poverty for a while, and many of my relatives died in poverty, but education will get you out of poverty.

I also want you to realize that it is a blessing to have a nice home, a car, and money in the bank, but I also agree with Senator Land when he said that all of that material stuff is good -- just as long as we accept that those things are not the most important things in any of our lives. The most important thing in all of our lives is to make preparation daily to spend eternity with Jesus Christ.

And, finally, I close with a poem that I once read: I am fully aware that, “My youth has been spent, that my get up and go has got up and went -- but I really don’t care when I think, with a grin, of all the great places my get up has been.”

Thank you.

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**Remarks by Senator SCOTT**

Mr. PRESIDENT, members of the Senate, and to my retiring friend RALPH ANDERSON, I want to take you back to the year 1991. I came to the Senate about six months ahead of meeting RALPH. RALPH was elected that June, and by that time the Session was over. Then 1992 arrived and I had the opportunity to meet RALPH, but by that time I was president of the freshmen class. The General Assembly, as we now know it is in a very calm, relaxed mode, was still fire up when it comes down to talking about issues.

RALPH served on City Council from 1983 until he came to us in the 1991 election. At that time RALPH and I had the opportunity to talk a lot. I had the opportunity to serve with RALPH for those six years. Shortly after that, a good friend of RALPH’s, a good friend, his roommate here, the person RALPH spent a lot of time with, passed away not too long after that, the Reverend McMahan. When you saw one, you saw them both. Reverend McMahan was a minister. RALPH was a retired postmaster who had just begun to make investments into the real estate industry -- something I had been in for many years. At times, RALPH and I would joke and tease about properties we had bought or what we were doing with those properties. RALPH had a whole different idea in terms of what he wanted to do with those properties. I would often tease RALPH about buying too much real estate and RALPH would laugh and say “these properties are for my grandchildren.” So when you listen to RALPH talk about education, -- RALPH normally doesn’t talk very much about his investment in the real estate industry and what he had built over the years with a single purpose in mind and that was to educate his grandchildren. As those grandchildren came through and one would get out of the way, I would then tease RALPH, and say, “RALPH, you’ve got a little extra money you can spend now and throw away.” And RALPH would always say that there was another one coming behind that one. RALPH had his ups and downs with those grandchildren, but one thing we can say about RALPH -- he kept his eyes on the prize and that was to educate his grandchildren. And I want to say to you, RALPH, I’m very proud of what you did.

RALPH seldom talked about his three children, but always his focus was not on making sure that they had plenty to spend, but that money was available when those kids graduated from high school. You did a good job, RALPH. You did an excellent job for your family, your church family, and this State which has been your focus for the last 16 years.

I served that brief time in the House with RALPH from ’91 to ’96 and then found RALPH again in the later years -- in 2008, when I came to the Senate. You see, we have not had the kind of time that we had in the House to talk because RALPH had more seniority in terms of the issues and the concerns than I had. Because we used to tease all the time about our wives -- but lately, RALPH’s wife has become very ill. But still, RALPH didn’t ever take his eyes off the prize. Every day, rather than staying over, RALPH drove up and down the highway to make sure that Mrs. Geraldine was well taken care of. Again, I want to thank you. You never took your eyes off the prize.

Then a couple years ago RALPH had the opportunity to pass the biggest Bill of his legislative career which was that Hospital Bill. RALPH was full of joy and full of excitement and I think that gave RALPH the extra energy just to hold on and to continue to fight for the good of this State. This past year, RALPH has had a Bill that’s over in the House and I hope that that Bill gets renewed next year, and that’s to provide for those persons who are convicted wrongly and hope to receive some kind of compensation. This was the first time that RALPH and I had ever had a disagreement, but RALPH was big enough to move forward because the ultimate goal was to get that Bill out. And we got it out. And RALPH, I’m going to tell you like I told Dewitt Williams when Dewitt left, I’m going to continue to work on that Bill for you. Sometimes you have some obstacles in the way, some misunderstandings in the way -- it’s a transfer of responsibility from one person to another person. I’m going to call that Bill the RALPH ANDERSON Improvement Bill.

Again, thank you for the 16 years you’ve given this State. I’ve watched you grow from the time you came in the House to becoming senior in this Senate. And sometimes RALPH will tell you to go on the other side -- I don’t hear very well with that ear, but RALPH hears what he wants to hear and RALPH does what he wants to do. That’s our RALPH.

I hope you enjoy some of the retirement time because I don’t think you’ll ever retire. You will find something else to do, but just remember us up here. We really appreciate the hard work and the dedication that you’ve given your family, your church and this State. Congratulations.

**Expression of Personal Interest**

Senator NICHOLSON rose for an Expression of Personal Interest.

**Remarks by Senator NICHOLSON**

Mr. PRESIDENT, I would just like to make a few remarks at my desk right here. I just want to say congratulations to RALPH and thank him for his many years of service.

I’ve known RALPH many years and we got involved in politics about the same time, back in the early ’80s when RALPH was elected to Greenville City Council and I was elected to Greenwood City Council. Through our association with the Municipal Associations, we got to attend various conventions and got to know each other real well because at some of those conventions I would have to take care of RALPH because his wife wouldn’t be there. She’d make sure I watched out for RALPH because he would go into some places that were not, you know, real good.

But we were able to spend a lot of time together back in the early ’80’s and I got to know RALPH really well and to find out how dedicated he was to public service. He was an individual devoted to doing things to enhance the quality of life for everyone, not just a certain segment of the population. He was concerned about the quality of life for everyone. That has been RALPH throughout all of his public service -- doing what’s right for everyone. He is a coalition builder. He believes in working together and the only way you are going to accomplish tasks is by working together. And this is what RALPH has devoted his life to.

When I was first elected here and I came down to Columbia, the first thing RALPH asked me was where I was staying. He indicated he had a place we could stay. We stayed there and we would get up early in the morning and go walking and converse and spend time together. And he taught me a lot of things. He’s been a true mentor to me. He’s been a true friend to me and I just wish him well in his retirement and I wish God’s blessing on him throughout the rest of his life.

Thank you, RALPH.

**Expression of Personal Interest**

Senator LOURIE rose for an Expression of Personal Interest.

**Remarks by Senator LOURIE**

MR. PRESIDENT, I would just like to make a few comments from my desk if I could. I’ve had the pleasure also of knowing Senator ANDERSON since my time in the House and having served with him the last eight years.

Senator ANDERSON sits very quietly and as he rocks back and forth in his chair, to look at him can be very deceiving because you might think to ask him for a vote he might be a pushover. Nothing could be further from the truth. When RALPH makes up his mind that he’s going to vote a certain way, it doesn’t matter what our Democratic Caucus thinks. It doesn’t matter what the rest of the Chamber thinks. He’s always going to do what he thinks is right. And, you know, the biggest compliment that he has paid me in my time of service? He has come to me once or twice and talked about my father and how he would be proud and how he enjoyed knowing him.

Senator ANDERSON, like Senator NICHOLSON, I’ve had the chance to spend time with you. I was in Greenville two years ago working on behalf of Senator SHEHEEN and his campaign for Governor. You are a great public servant. I know your family is very proud of you and please know that all of us wish you life’s best and we shall keep you and your wife in our prayers as you all continue to go through life together. We wish you nothing but best wishes and Godspeed.

Thank you, Senator.

**Expression of Personal Interest**

Senator RYBERG rose for an Expression of Personal Interest.

**Remarks by Senator RYBERG**

I’d just like to make a comment from here at my desk.

When I first met RALPH ANDERSON in the Senate Finance Committee, there was an issue that had to do with the toll charges that were being paid by people calling from prison. What happened is that all calls out of prison were collect. And, actually, the high charges that were being paid were, as the Senator and I will agree, were obscene.

Senator, you are the one that’s responsible for the fact that now those charges are fair because the people paying the charges weren’t the prisoners; the people paying those costs were their loved ones on the outside. The ones that didn’t commit any crimes, didn't break any laws, and yet we were charging them just an exorbitant fee. We went from one of the states with the highest calling rate in the country to one of the lowest states for those calls because of your efforts and I appreciate it.

Thank you.

**Expression of Personal Interest**

Senator REESE rose for an Expression of Personal Interest.

**Remarks by Senator REESE**

Mr. PRESIDENT, just a few words about my friend here.

In November of 2000, when all of us were elected and RALPH was reelected to the Senate, a day or two later I got a phone call from Senator ANDERSON. He said he understood that my suitemate was moving to another office. You know how we’ll shift with seniority a little bit, and he realized I had an opening in the office. And he said, “I understand you do good work and help your constituents and that’s what I want to be a part of.” And he wondered whether or not I would be fine with him moving in. And I said, “Yeah, I’m fine. Just get it cleared with everybody.” I said, “Whatever we do in the office for me, we’ll do the same thing for you.” So, he moved in and we have stayed together for about eight years and, finally, he got a senior office and moved next door. He regretted leaving, but I urged him out just like I had urged Senator ELLIOTT out when the same thing happened. I said, “You get these opportunities rarely, so take advantage of it.” and he has enjoyed it and is doing a great job next door.

Before I do forget it, for many years he constantly talked about the cigarette tax and I think he was pushing the cigarette tax when it was very unpopular and thanks to you, we do have that cigarette tax and a lot of revenue coming in. But he was constantly badgering me about it and I’m not anti-smoking or pro-smoking, but he was always talking about that cigarette tax.

Some things about RALPH that I have come to know are because we were suitemates and I sat beside him a long time. We constantly see each other out of session which is untrue for a lot of us. But RALPH is in Greenville; I’m in Spartanburg and we are back and forth a lot. I’m going to his events and he comes to my events and we swap off. But when he was young, he was quite an outstanding athlete in all sports, especially football and basketball. He always wanted the football in high school because if he got the ball, they were going to score. Then when he went off to college, he was quite an athlete at Allen University and he played in bands -- jazz bands. He was also quite a dancer. And he can still do the dancing at times when he kind of gets up. I mean, it’s hard to get up now out of that chair, but every now and then you will see him cut loose at one of these receptions when we have one of these fancy bands. He was quite a dancer and quite an athlete in his day and Allen University is very proud of him. Allen University has named some things after him.

Another thing he’s very proud of is that he worked his way through college, and this is how it’s related to me. He was a waiter. He always bragged about how good a waiter he was. He could serve the tea faster than anybody and make sure you got your refills. He made lots of money on tips because he was so fast and so good. And that’s very special. You know, when we go to restaurants we love even today, everybody loves to have great service and that’s what the food business is really all about, great service -- and not only quality food.

But he and I have become close friends and I’m going to miss him. We had an agreement in the office on Thursdays -- he would clean out all the donuts and take them back to Greenville. So, for the last ten or 12 years all the donuts left over, he takes back to Greenville.

Another tradition he constantly has told me about is every Sunday he has a big family dinner at his house. His wife has been sick the last two or three years, so he’s been preparing the dinner. It is a big, big deal. I mean they have a lot of people over there -- 15, 20 people every Sunday.

And, currently, with his wife’s condition, this is something you don’t know that he talks about. He has to get up every morning about 4:00 and take care of her whole situation, by getting breakfast and getting her up and out. Then he gets in the car and comes to Columbia on Tuesday, Wednesday, Thursday. So, he doesn’t get a lot of sleep right now. So, he’s having it real tough or otherwise he would be running for re-election and he would be coming back.

A few years ago the Cadillac he drives was in the shop and I was coming to Columbia on a Tuesday morning -- and normally he’s beating me down here. He’s always hitting on me because I’m running a little late and he’s running early. The dealership had given him an orange hummer to drive. He drives a little slow anyway because normally I beat him home Thursdays and he leaves a little early. All the traffic was backed up on the interstate and he was stacking up all cars on the interstate driving his big old orange hummer. We got down here and I saw that orange hummer in the parking place and I figured out what happened. He was fussing about having to drive that big old hummer. He said he wouldn’t have one of those cars.

But, anyway, RALPH, we hate to see you go. You’ve been a marvelous Senator and involved in a lot of issues that none of the rest of us wanted to get involved in and you’ve become a real cog in this wheel. Congratulations on your retirement, but I’m going to personally really miss you.

**Expression of Personal Interest**

Senator FAIR rose for an Expression of Personal Interest.

**Remarks by Senator FAIR**

Mr. PRESIDENT, I’ll speak from my desk briefly, as well.

I’ve come to have a great friendship with the Senator from Greenville, Senator ANDERSON.

One observation I’ve made as we’ve listened and tried to honor these men who are retiring is that each of them has been married at least 40 years -- what a tribute to all of you, and Senator ANDERSON, what a sincere commitment to your wife and her illness. You would have had it otherwise, but the good Lord has seen fit for you now to retire and I wanted you to know that you have not only made an impact on our delegation at home, you’ve made an impact on the Department of Corrections throughout the State.

You always wanted to help the people who were behind walls, regardless of the reason and, because of your sincerity, men and women incarcerated in South Carolina are living a better quality of life and they have you to thank. I admire this so much about you -- you very quickly give praise where praise belongs -- and that’s to the Lord. My hat is off to you, and I wish you the warmest congratulations in your retirement. To one of the best men that I know -- congratulations, Senator ANDERSON.

**Expression of Personal Interest**

Senator THOMAS rose for an Expression of Personal Interest.

**Remarks by Senator THOMAS**

I’d like to be heard from my desk.

I have served longer with Senator ANDERSON than anybody else in here and you might wonder how that would be sort of logically possible and the answer is that we served on city council together. Senator from Greenville, Senator ANDERSON, I think that was an additional five years or something like that. I want to say that there was a consistency with Senator ANDERSON that I really did admire and this is the main point -- everybody said everything that needs to be said really, but I’d like to add this -- RALPH ANDERSON really focuses and cares about his constituents as well as anybody I have ever seen. I admire that and have learned from you.

Thank you, RALPH.

**Remarks by Senator ANDERSON**

PRESIDENT: Senator fom Greenville.

Senator ANDERSON: Mr. PRESIDENT, may I make a few comments? I would like to say that everything that they have said is true and you could not have said it to a nicer person.

The Senate Resolution was adopted.

S. 1581 -- Senators Courson, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Ford, Grooms, Gregory, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Thomas, Verdin and Williams: A SENATE RESOLUTION TO COMMEND THE HONORABLE PHILLIP W. SHOOPMAN FOR HIS DISTINGUISHED SERVICE ON BEHALF OF THE CITIZENS OF SENATE DISTRICT 5 AND TO WISH HIM HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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Whereas, since 2009, the Honorable Phillip W. Shoopman has with resolution and acumen represented the citizens of District 5 in Greenville County in the Senate of this great State; and

Whereas, Senator Shoopman graduated from Purdue University with a B.S.M.E. degree in 1992 and a M.S.E. degree in 1994 in preparation for a career in engineering; and

Whereas, he furthered his studies at the University of South Carolina with a M.B.A. degree in International Business in 2011; and

Whereas, Senator Shoopman most recently has served with distinction on five Senate standing committees: Corrections and Penology, General, Judiciary, Medical Affairs, and Rules, and he currently serves on the Review and Oversight Committee for the State Ports Authority; and

Whereas, he began his service in the House of Representatives in 2007, where he was Majority Whip in 2007, before his election to the South Carolina Senate; and

Whereas, Phil Shoopman’s first impression of the South Carolina General Assembly was formed during drives from Greer to Columbia and back with the late Senator J. Verne Smith as his passenger; and

Whereas, Senator Shoopman and Senator‑turned‑Congressman Mick Mulvaney were often referred to as the “Nit Pick Caucus” due to their thorough study of the issues and their lack of timidity in asking questions; and

Whereas, Phil Shoopman will be remembered for his stylish bow ties and the quick strides he would make around the Senate Chamber; and

Whereas, Senator Shoopman has further served his community including service as a member of the Greenville Symphony Advisory Council (2009); Peace Center’s Board of Trustees (2009); Fellow Liberty Fellowship Class of 2009; Friend of the Taxpayer (2007); Chairman, Greer Community Ministries (2006‑07); Vice Chairman, Greer Chamber of Commerce (2006); Member, State Board of Education (2004‑06); Delegate, Republican National Convention (2004); Chairman, Regional Air Quality Steering Committee (2001-03); and Chairman, Greenville County Planning Commission (2001‑03); and

Whereas, he and his wife Dawn are the proud parents of two children, Clara and August, and attend Washington Baptist Church; and

Whereas, Senator Shoopman’s senatorial colleagues wish to express their gratitude for his dedicated service to the people of District 5, as well as their sincere wishes for enjoyable challenges in the years ahead. Now, therefore,

Be it resolved by the Senate:

That the members of the South Carolina Senate, by this resolution, commend the Honorable Phillip W. Shoopman for his distinguished service on behalf of the citizens of Senate District 5 and wish for him happiness and fulfillment in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to our distinguished colleague, the Honorable Phillip W. Shoopman.

**Expression of Personal Interest**

Senator HUTTO rose for an Expression of Personal Interest.

**Remarks by Senator HUTTO**

It is a great honor to give the last introduction of the day.

Our other retiring Senator, the junior Senator from Greenville, Senator SHOOPMAN was born in Kentucky. He’s married. I know his wife, Dawn, and two children were here earlier, but I’m not sure if they are still around. One of the reasons he’s leaving us is to spend more time with his children. He may not have been married 40 years like the others, but he’s well on his way. Senator SHOOPMAN as you know, has a B.S. Degree and Master’s Degree from Purdue University. I don’t believe we have any other Purdue graduates here in the body. But what I learned recently was that he also has an MBA from the Darla Moore School of Business at the University of South Carolina in Finance and International Business, and he got that Masters Degree while serving up here and received a 4.0 GPA. It will be a help to him as he goes on to other endeavors. He was active in the Greenville community before he came up here. He’s served on many levels and served on the Greenvile Chamber of Commerce. Also, he’s been on the Peace Center Board of Trustees. He was a 2004 Delegate to the Republican National Convention. He’s very proud, and should be, to have been a Fellow in the Liberty Fellowship Class of 2009. He also served on the State Board of Education in 2004-2006 before coming up here. He was elected to the House of Representatives from Greenville County in 2007 and served as majority whip over in the House and then, coming to the seat that had long been held by Senator J. VERNE SMITH who served for many years -- then it was briefly held by Senator LEWIS VAUGHN.

The Senator from Greenville walked in unopposed. One of the rare things that you can do in this Senate is come into this Senate and not have anybody run against you. And that means something. That means, everybody where you live has looked around after you have announced that you are going to run and everybody has said, “You know what? He can have it. There’s not anybody else that we think should make this attempt.” And, he earned that. He came in here -- and I will tell you, while we’ve probably cancelled each other out in our voting a number of times, numerous times, he’s been a consistent conservative in what we refer to as the “William Wallace caucus” -- the back row boys. But he’s been consistent in his views.

One thing that he has worked on is the port. He’s the only Senator from the Upstate who serves on the Port Authority Oversight Commission -- and on his website he has a picture of a container ship which is odd, I think, coming from a Senator from Greenville. But that’s because he understands the important role that the ports of South Carolina play for all South Carolina and not just for the people in Charleston. So, we remember you for your service on that commission and your dedication to the ports.

We’re also going to remember him as a Senator who understood the role of legislative oversight. He talked about that and believes we should be more pro-active in our role in oversight of the Senate. He’s been active on the committees that he served on and took his role of legislative oversight very seriously. We served on subcommittees together and he relished his work on the subcommittees. Those were the times when actually people in the community, constituent groups, really get heard. They can’t come speak to us on the floor and they don’t get heard at the full committee level. So, he worked hard at the subcommittee level. We shall remember him as a strong voice in the pro-life community. It is something that he cares about and has been very consistent and serious about that position.

He’s leaving us to spend more time with and dedicate more time to his career. And, speaking of his career, we’re going to miss him. I think he’s probably the only licensed professional engineer in the body -- he’s a licensed professional engineer and had an opportunity to work across the State on various engineering projects allowing him to come into contact with businesses that want to locate and want to have manufacturing opportunities here. He recognizes the importance that this State be a State that actually makes something and we actually produce something here and not rely just on imports -- but that we actually are a State that makes something. In his career, he’s contributed to those companies coming here. He’s an engineer at heart and one of our most studious members.

He always accepts his duties with seriousness and is willing to spend the extra time on Bills in subcommittee, even if they were subject matters unfamiliar to him.

Maybe he says this same thing to you all the time, but I know he says the same thing to me all the time --“I just want to make sure I understand.” Lots of times, he has come up, and said, “Did you read this?” And we have talked about it. And he has said, “I just want to make sure I understand.” And you know what? I think if more of us made sure we understood before we voted, we would be better off. But he is one who took his role seriously.

You know, it’s been said that scientists dream about doing great things but engineers do them. Senator SHOOPMAN is going to leave us to pursue that career in engineering where scientists may dream, but he’s going to be an engineer and he’s going to do those things. To the optimist, the glass is half full. To the pessimist, the glass is half empty. To the engineer, the glass is twice as big as it needs to be. So, it’s been said that sometimes we all need a new perspective on an old problem and that’s what an engineer will give us. Senator SHOOPMAN brought us new and different perspectives as we’ve debated things in this body we’re going to miss.

Senator from Greenville, we’re going to miss your insightfulness, and your thoughtfulness and your bowties.

Thank you.

**Expression of Personal Interest**

Senator SHOOPMAN rose for an Expression of Personal Interest.

**Remarks by Senator SHOOPMAN**

Thank you, thank you, gentlemen. Thank you, Senator from Orangeburg, Senator HUTTO.

You know, I asked him to do the introduction because, in my short term here, when I first got here, this guy, the Lieutenant Governor, put me on a subcommittee with him. And I thought, “What was this guy thinking?” What was he thinking, putting me on a subcommittee with him? He and I are just polar opposites and are never going to get along. It’s just not going to work out. And it turned out to be one of the best subcommittees that I’ve been on. It’s been the one that’s been consistent. The Senator from Orangeburg and I have spent time together and I’ve grown to respect him. I appreciate his humor. And I appreciate the fact that he loves what he does. He loves the State of South Carolina. He also loves the Boy Scouts. As a person to grow with and have him call you a friend, I think that’s part of what this experience is about. So, in the end, I appreciate what he did. And I appreciate who you are, Senator. It really means a lot.

I also appreciate the Senators warming you up for my speech. I hope you are ready to be here for awhile. No, actually, I wanted to do it on Twitter. Thought I would be brief and keep it on Twitter because my Majority Leader told me last week that that’s the new “millgate.” But again, you are just limited to 140 characters and my good friend, Phill Bailey, would have missed it. So, I asked him about that. He’s cool with that. Phill and I are good friends. People don’t know it but Phill and I spell our names similarly with two l’s. And he’s a dear person. While we may disagree on policy, I believe he sincerely cares. I count him as another important ego. I wouldn’t have expected to put him on the list of friends, but he’s there. And he’s had a lot of fun at my expense. He’s told some good ones over the time and I appreciate that.

I’ve been honored to serve the people of Senate District 5 for four years. That may sound brief, but in my time here, I have learned that when you are not here, they call this a part-time job. But when you get here, it’s anything but. So, let me just say for the reporters and everybody out there that say it’s just a part-time job. It’s not. If you really want to do a good job and if you really want this job and you want to take it seriously, it’s more than a full-time job. It’s part of who we are. It’s going to the funerals on Sunday and missing Sunday dinner. It’s going and sitting and listening to people in your district, that are concerned about a road that they read in the paper may end up in their front yard. It’s listening to a mother’s plea on the phone at 8:00 at night about her son and how he’s being treated in a prison. And it’s being concerned about that. It’s about another family concerned about receiving support or getting help because the breadwinner has lost his job. And it’s a Saturday afternoon and you receive a phone call as you are heading out the door to go to a softball game. That’s what this job is. This is a full-time job. And I’m saying that for everybody out there to hear -- to know that there’s nothing about this job, if you want to do it right, if you want to do it right, this is a full-time time job. If you don’t, well, you can make it part-time. But I don’t know how long your district is going to let you get away with that. Personally, with my responsibilities that I have and priorities, I sincerely can’t put the full-time effort into it in the time to come. For you senior members, it only becomes more time. When you become a chairman, when you are sitting on the Oversight Commission, I look at my friend, the Senator from Berkeley, the Senator from Bonneau, S.C., and he’s on the St. Francis Transportation Committee and the Port Commission. And dealing with the port, when you are talking about the economic engine of this State, that touches every county. It touches every county. So, it’s more than that. If you have the time and if you have the calling to do it, more power to you! I hope that you know what’s going on.

I have two young children. When I first came here four years ago, they were two and four. Now, they are a little older. They are six and eight. And their needs from me have grown. I hear from everybody how time is fleeing, and you wake up tomorrow, and they are gone. You don’t really believe that until you start seeing it firsthand. Your parents tell you that time flies. Time will fly, they are going to be out the door. You won’t realize it until you see it. Then when you see it, it’s real.

So, I love the Senate -- I love the Senate. I was introduced to the Senate probably around the neighborhood of 15 years ago, by that man right there, behind the Majority Leader, Senator THOMAS, the Senator from Greenville. We met when I was a young politico. I was asking questions, trying to get involved in Greenville politics. We had no children and we were talking about a lot of things and he actually invited me down here. I still remember the day that I came down here for the first time. He brought me to the Ante-Chamber. I couldn’t come through the door, but they opened the door so I could stand there and look in. I saw you. I couldn’t believe it; my eyes were wide as saucers. Most of you were here and are still here. I remember the Senator from Bonneau, Senator GROOMS, and I remember him because his hair was black at the time. In 1998, he was in the Chamber. He was the new guy. He had just been elected here. And the Senator was very kind to me, Senator THOMAS from Greenville. He was very kind to me. He showed me around. And I knew then there, that this was the place that I was going to aspire to come to. I loved the South Carolina Senate. Then in 2000, when the guy sitting next to him, Senator J. VERNE SMITH was not running and low and behold -- I don’t know who told you about me driving Senator SMITH down here as was mentioned in the resolution -- that’s some good research. I didn’t know many of you knew that. But I did. I ended up getting to know Senator SMITH and he really made an impression on me, surprisingly. He made impressions on all of you; he still looks over my shoulder up there and he taught me a lot. We would sit in that car and talk. It would be misleading to tell you that we talked for the entire trip to Columbia because 30 minutes into the drive, he would fall asleep. But we would get here and one time it was for a Joint Bond Committee meeting, Senator, you were there. And I have all of these memories of when I first met all of you. Yeah, and he shared a lot with me. I remember when he put me on the State Board of Education. He said, “Come down here and I don’t want to see your name in the paper.” I was like, “What does that mean? Keep myself out of the paper?” He was telling me that you come down here to listen. State government is more complex than you think it is. When you get in here and you have been here for awhile, you realize it leads to something that the Senator from Aiken said -- “learn what you don’t know.” You realize that this state government is very complex and it’s more than just numbers; it’s people. It’s who we are and how we operate. He was right about that. And so, I have sat over there a lot over the last few years. I’ve listened more than I talked. I realized just when I thought I knew something, maybe the Senator from Florence would stand up and remind us of something and I’m glad I didn’t put my lip out there to be stepped on. So, I’m thankful. There’s truth to listening. You know, they say, “two ears and one mouth.” You should listen twice as often as you speak and I agree with that. So, that was my time here.

My introduction here and when I got here -- then I realized most of you are just people. Actually all of you are people, but you are just normal folks, with your own lives and your own responsibilities. And that was actually humbling to me. It made me feel like, maybe I could do this. I’m only 44, but over time, when you have a two year old and four year old transforming into four and six year olds, you know. They start tugging on you and asking you to be around more. And it becomes more difficult to do extracurricular activities. When you go home on Friday -- Mondays and Fridays, people say, go talk to my group, since you are here now. Not that you need to make a living or have a family, but since you are in town, folks think you’re available. I see some of you nodding your heads and you come home and have your four year olds and six year olds and they are upset because you have been gone. That weighs on you.

So, you know, many of you are going to be remembered. We’re all going to be alumni of this Chamber at one point or another. All of us are going to be alumni. And I’m honored to be a part of this -- a part of this. You know, I have nothing but fond memories of all of the people here. It’s changed my character here by sitting around among a lot of you and learning traits from you. I hope I have absorbed the good stuff and put away the bad stuff. I feel like a better person for knowing you people and serving in this Chamber. You are going to be remembered.

I would be remiss -- I’ve got to say something about three people that I have met that may not be remembered because they were not elected and they didn’t have a seat on the floor. They were staff people. I know the Senator from Aiken talked about the staff. I would just reiterate the staff here behind us -- but three people that made this experience for me easier and I’m a better person for knowing them -- one them, of course, is my assistant back in the office, Miss Debra Cooper. I would truly have egg on my face if it was not for Miss Debra Cooper, my assistant back there. When you are elected, people call you up and ask you or they want you to do something. And if it was just on me to figure it out and try to find somebody at HHS or DHEC or DOR, I would not get anything done. But, thankfully, I had an assistant and she served with, I believe, Senator DRUMMOND for some time. I would say, “Do we do this? “Can we do that?” She would say, “Oh, that’s so and so over at HHS, I’ll take care of it.” And having that kind of a response, takes the load off of your shoulders. I say, “Thank you” first, to Debra because I don’t know if I would have lasted this long without her. She was wonderful.

The other two people that I want to mention are the Chief of Staff for the Judiciary Committee, John Hazard and Mike Shealy, Finance Committee Chief of Staff. John’s become a friend of mine. He’s one of the smartest people that I have ever met. His intellect is just incredible. He helps me. I have gone and sought advice from him. He is not construed as a “yes” man, but he would say, “Did you consider this? This may be where your argument is weak.” And that’s the kind of person he would be to come to. So, I would say, “Thank you” to him.

The other person that opened my eyes about this state government, Senator from Florence, is your Chief of Staff, Mike Shealy. He has been an expert in showing me what I don’t know by just talking to him. He’s smart and I’m thankful that he and I have spent time over the past few years together. I’m also grateful when I’m gone, I’ll be able to call on Mike. He’s somebody that cares about this State. He’s just incredible in finding the information that you need. Senator, I commend you on Mike because he really has been a good friend.

Lastly, the Senator from Greenville, Senator ANDERSON, and I served in the same office suite. He has been nothing but a gentleman to serve with him. I didn’t know him that well before I came here. But I do now and I would just ditto everything that’s been said about him. You are truly a public servant; you do care. It’s made me a better person to remember that in the time that I’ve served and the time that I continue to serve in the public and in the community when I leave here. So, Senator, I wanted to thank you for the opportunity and for the times that we’ve shared together. You know, he said he was going to wear a bowtie, but he never did. I gave him one, but maybe we’ll work on that together back in Greenville. Maybe we will.

Also, lastly, I really have enjoyed serving with our now Lieutenant Governor. His commitment to responsibility and to the State Constitution is why he’s where he is. That’s his brand; that’s who he is. He’s committed to that. It helped in making my decision when those six and eight year olds are tugging on me.

I love the Senate, but I happen to love them more. So, gentlemen, it’s an honor and a privilege to serve with you, and I hope we will continue to get work done before Thursday.

With that, I’ll say, “Thank you, thank you, gentlemen.”

**Expression of Personal Interest**

Senator THOMAS rose for an Expression of Personal Interest.

**Remarks by Senator THOMAS**

Mr. PRESIDENT, gentlemen of the Senate, I have just a few little words to say.

The Senator from Greenville, the strategic Senator SHOOPMAN mentioned coming to me, but he didn’t quite tell you the whole story. The story was that he had in mind running right then for the State Senate and he was full of vim and vigor. I’ve never seen anybody, Mr. PRESIDENT, with so much obvious intent. And, I said, “Well, before I encourage you, in whose Senate district do you live, young man?” And he said, “VERNE SMITH’s.” And I thought, “Oh, whoa! We’ve been trying to move VERNE SMITH to the other side and we don’t need a Republican running against him right now.”

If you remember, Mr. PRESIDENT, that was a momentous day back then. But, I encouraged him. But, I didn’t have to encourage him that much because I never have seen such a schematic, deliberate and calculating -- if I can use that term as a positive adjective for the Senator from Greenville, Senator SHOOPMAN. All my life, I’ve never met anybody like that. He is as schematic and deliberate as he took on the task of how to go to the State Senate with just amazing dexterity. So, he had all of these things going for him and this wonderful sense of charm about him, too. Everybody just loves that. There’s no edge to PHIL SHOOPMAN.

So, I hate to see him go. When I heard that he was leaving, I was really very sad about that. Very sad. We’ve lost a great leader. Someone that I believe in a matter of years would have been on the front row. It takes a long time, but I understand where his priorities are. But “UNCLE VERNE SMITH” was lucky because if he had taken “UNCLE VERNE” on, he might have been here a little earlier.

Thank you, Mr. PRESIDENT.

**Expression of Personal Interest**

Senator VERDIN rose for an Expression of Personal Interest.

**Remarks by Senator VERDIN**

I will just pick up where the other Senator from Greenville left off.

PHIL SHOOPMAN, the Senator from Greer, is the man with a plan. Now, talk about calculated. He visited with me subsequent to my election and detailed everything for me that I did wrong. And I asked him, “What would you have done differently?” And after he was finished, I said, “You are absolutely right. Senator, you need to be in Columbia yourself.” And he said, “I’ll be there. I’m coming.” That was five years before he actually came down here. But I think we all are certainly indebted to PHIL. As the Senator from Orangeburg said and let me make sure I’ve got this right -- “If I have to be thorough or if I have to write a business plan where I can’t see around the corner, it’s going to be PHIL SHOOPMAN that I consult.”

And I know there’s a lot of VERNE SMITH stories, but I can’t let this go. You know, who do you think the former Chairman of the Judiciary put in charge of drawing the maps back in 2010? PHIL SHOOPMAN, the senator-to-be, from Greenville, was doing more than just riding up and down the highway with the Senator from Greer. You know how the Senator, all the senators, would be gathered as a group to just talk through fresh ideas and communities of interest all around South Carolina. For this particular region we had one of those meetings and one day we were all sitting in the room when Senator SMITH and PHIL came in and someone asked, “What’s he doing here?” Senator VERNE said, “Well, he’s got a plan. He’s the man with the plan and he’s going to draw this map and we’re going to like it.” And that was in 2000 -- maybe 2001 or 2002.

So, PHIL, I really am sorry to see you go. And I appreciate all that you have brought to the Senate.

**Expression of Personal Interest**

Senator BRIGHT rose for an Expression of Personal Interest.

**Remarks by Senator BRIGHT**

MR. PRESIDENT and members of the Senate,

I just want to make a few remarks about my desk mate, PHIL SHOOPMAN.

On January 13th, I stood behind this microphone and talked about my future child and on January 28th, 2009 my wife had a miscarriage. And I really thought I was going to die. I mean, that’s the most painful experience that I have been through in my life. And a new friend, PHIL SHOOPMAN called to check on me. He checked on me continuously through that ordeal. I just want to tell you, God puts people in your life for a reason. I don’t know if I would have gotten out of that ordeal if it wasn’t for PHIL SHOOPMAN. I just can’t believe this pain. But PHIL was there, and I want to thank him publicly. For somebody who only knew me for two weeks, and who took the time to reach out to someone else and check on me and my family, that says a lot about this Senate and how we get to know each other and care about one another so quickly. But the fact that PHIL SHOOPMAN took that time with me -- somebody that he barely knew -- tells you the kind of person he is.

He stops by my office -- we’re both very religious -- and we’ve had prayer time together. I told him about my family, and I told him when I lost my first election, my youngest daughter cried that night and said she felt guilty because she wanted me to lose and she wanted me to lose because she wanted her daddy to be home at night. Then, of course, when I won, when she was 13, she was ready for me to go!

But PHIL, Senator SHOOPMAN and I had that conversation and shortly after that, I remember being just so worried. Maybe I talked him out of running again. And it kind of pained me. But you hear his story and you hear about how much love and admiration he has gained along his path to becoming a State Senator.

**Expression of Personal Interest**

Senator BRYANT rose for an Expression of Personal Interest.

**Remarks by Senator BRYANT**

Mr. PRESIDENT, I’d like to be heard briefly from my desk.

I came to know the Senator from Greenville way back.

Mr. PRESIDENT, you actually assigned me to a school district sizing committee and I learned right then how analytical Senator SHOOPMAN could be while we served on that committee. I was impressed with that, and I appreciate your service in the Senate. We appreciate your analyzing the Bills the way you have done and it’s been an honor to serve with you and we wish you well.

Thank you, Mr. PRESIDENT.

**Expression of Personal Interest**

Senator ALEXANDER rose for an Expression of Personal Interest.

**Remarks by Senator ALEXANDER**

I wanted to briefly say a few comments.

It’s been a pleasure to serve with the Senator from Greenville, Senator SHOOPMAN, and I know he was commenting on the former Senator from Greer, Senator SMITH and I will tell you that on not one occasion, not two occasions but on many occasions, I had the opportunity to listen to Senator SMITH about his high regard that he had for you and what a great public servant you had been in your other capacities and what a great public servant you were going to be here, not only in the House, but also in the State Senate in that district.

I just wanted to publicly recognize the fact of the high regard that he had for you and certainly you held up to that standard with him looking down there.

Thank you.

**Expression of Personal Interest**

Senator REESE rose for an Expression of Personal Interest.

**Remarks by Senator REESE**

The Senator from Greer is not overweight, Mr. PRESIDENT, and the Senator’s an engineer.

He does have one fault -- he’s addicted to lemon doughnuts and every week, I sneak one in each doughnut box and he robs that lemon out of every box. So, if none of you ever get a lemon doughnut, we all now know why.

So, I just wanted to let you know that he’s not the perfect “Mr. Bowtie” that we all know.

The Senate Resolution was adopted.

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

**Remarks by Senator PEELER**

Thank you, MR. PRESIDENT, and members of the Senate. I will be brief.

This afternoon reminds me of the first Republican Caucus dinner that we had one night and all my fellow caucus members came and gathered around the podium. And rather than me introducing the members of the caucus, I had this bright idea of letting each member come up and say one quick fun fact about themselves. Two hours later, we got to get on with the program, Senator from Florence.

But I just wanted to rise and talk about the Senators that are retiring.

First of all, Senator LAND, everything that was said earlier, that’s absolutely true. I like Senator LAND. I liked him the first day I met him. You just can’t be mad at him. Or, if you are mad at him, you can't be mad for long. And you’ve heard the story of when he was filibustering on the concealed weapons permit. I made the motion to vote cloture. And I learned a lot about politics by doing that. Somehow, at the next election, Senator LAND received the endorsement from the National Rifle Association and so, Senator LAND has taught me a lot about politics over the years. I remember that.

And when I look back on my time when Senator LEVENTIS came back from the war, “God bless you.”

Mr. PRESIDENT, the Senator from Aiken, Senator RYBERG, we have had a lot in common. Senator RYBERG, people asked me why I liked you. I don’t know why. Maybe it was the dairy state, Wisconsin, but I always liked you. I always liked that sense of humor that you have. And I guess the main reason I liked you is that you are straight to the point. And, I also like the way you love your wife. I don’t know what it is about Betty Ryberg, but the minute I saw her, I knew she was a special person. And I would ask, “Betty, what’s the first thing you know?” And, she would say, “You know, I really don’t know.” And first thing you know, I would say to her, “Ole Jed is a millionaire.” And Senator RYBERG, when you are getting old, I want you to think about what my daddy said to me -- “I don’t mind getting old; I just don’t want to walk old.” So, when I see you later on, no matter how old you get, I don’t want to see you “walking old.”

Senator ANDERSON, you are one of my most dependable Medical Affairs committee members -- he never missed a meeting. I don’t think you have missed a time. And you always act in a Senatorial manner. He always reminds me, “If you had a little bottle of chocolate milk, we could work this out -- just a little bottle of chocolate milk.” I’ll remember that forever Senator from Greenville, Senator ANDERSON.

And Senator SHOOPMAN, I think that you coined the phrase “Nit-pick Caucus.” When Congressman MICK MULVANEY and you came in the senate, you were talking about, “I just want to understand.” It’s not that he wants to understand. Senator SHOOPMAN wants to be sure you understand. That’s why I came up with that. And he kept asking that. I miss Congressman MULVANEY, Senator SHOOPMAN, and you are what we call a skilled player. And I was looking forward to your gaining seniority in here. But I understand why each of you have made the decision that you made. Like Kenny Rogers says, “You’ve got to know when to hold them, know when to fold them, know when to walk away and know when to run.”

So, we’re going to miss each and every one of you. There’s no such thing as a good goodbye. No such thing as a good goodbye. So, all I can say is, “goodbye.”

S. 1582 -- Senator Coleman: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE DEATH OF THE REVEREND GEORGE BENJAMIN “BEN” GUY, JR. OF CHESTER AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1583 -- Senator Pinckney: A BILL TO AMEND ACT 476 OF 1998, RELATING TO JASPER COUNTY BOARD OF EDUCATION AS THE GOVERNING BODY OF THE SCHOOL DISTRICT OF JASPER COUNTY, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY BOARD OF EDUCATION SHALL BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

H. 5285 -- Reps. King, Gilliard, Anderson, Cobb-Hunter, Rutherford, Williams, Jefferson and Knight: A JOINT RESOLUTION TO PROVIDE THAT INDIVIDUALS PROHIBITED FROM APPEARING ON THE JUNE 2012 PRIMARY BALLOT AS THE RESULT OF THEIR FAILURE TO FILE A STATEMENT OF ECONOMIC INTERESTS ARE ENTITLED TO A FULL REFUND OF THEIR FILING FEE FROM THE ENTITY THAT COLLECTED THE FEE.

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

H. 5331 -- Rep. Atwater: A BILL TO AMEND SECTION 7-7-380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN LEXINGTON COUNTY, SO AS TO REVISE THE NAMES OF CERTAIN PRECINCTS, TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

Read the first time and, on motion of Senator KNOTTS, with unanimous consent, H. 5331 was ordered placed on the Calendar without reference.

H. 5339 -- Rep. White: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED DURING THE PERIOD OF MAY 29, 2012, THROUGH JUNE 1, 2012, BY THE STUDENTS OF CALHOUN ELEMENTARY SCHOOL IN ANDERSON COUNTY WHEN THE SCHOOL WAS CLOSED DUE TO A BROKEN AIR CONDITIONING SYSTEM ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Read the first time and, on motion of Senator HAYES, with unanimous consent, H. 5339 was ordered placed on the Calendar without reference.

H. 5377 -- Rep. Harrell: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO SECTION 9, ARTICLE III, OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, JUNE 7, 2012, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE 19, 2012, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, JUNE 21, 2012, FOR THE CONSIDERATION OF CERTAIN MATTERS, AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN MONDAY, NOVEMBER 12, 2012, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Be it resolved by the House of Representatives, the Senate concurring:

(A) Pursuant to the provisions of Section 9, Article III of the South Carolina Constitution, 1895, and by the two‑thirds vote required by that section in order to recede for more than thirty consecutive calendar days, each house agrees, in this resolution, to recede from the other body either for a period less than thirty days or for more than thirty days as the case may be.

(B) Further, the General Assembly by this resolution agrees to bind itself subject to the provisions of this resolution. The Sine Die adjournment date for the General Assembly for the 2012 session is recognized and extended to permit the General Assembly to continue in session after Thursday, June 7, 2012, under the terms and conditions stipulated in this resolution and for this purpose each house agrees that when the Senate and the House of Representatives adjourn on Thursday, June 7, 2012, not later than 5:00 p.m. or at any time prior, each house shall stand adjourned to meet in statewide session on Tuesday, June 19, 2012, at 12:00 noon and to continue in statewide session, if necessary, until not later than 5:00 p.m. on Thursday, June 21, 2012. Each house agrees to limit itself to consideration of the following matters and subject to the following conditions, as applicable:

(1) receipt and consideration of gubernatorial vetoes;

(2) receipt and consideration of the General Appropriations Bill, the Capital Reserve Fund Bill, and introduction, receipt, and consideration of a Continuing Resolution to fund the ordinary expenses of state government until the passage of the General Appropriations Bill, concurrence and nonconcurrence and amendments to these bills returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and disposition of conference and free conference reports on the matters identified in this item;

(3) introduction, receipt, and consideration of resolutions affecting Sine Die adjournment;

(4) receipt, consideration, and confirmation of appointments;

(5) introduction, receipt, and consideration of resolutions expressing sympathy or congratulations;

(6) receipt and consideration of local legislation which has the unanimous consent of the affected delegation;

(7) receipt, consideration, and disposition of conference and free conference reports on matters not provided for in item (2), for which a committee of conference has been appointed prior to 5:00 p.m. on June 7, 2012; and

(8) convening of a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly.

(C) When each house recedes subject to subsection (A) and not later than 5:00 p.m. on Thursday, June 21, 2012, the General Assembly shall stand in recess subject to the call of the Speaker of the House for the House of Representatives and the President Pro Tempore of the Senate for the Senate at times they consider appropriate for their respective bodies to meet for the consideration of the following matters and subject to the following conditions, as applicable:

(1) introduction, receipt, and consideration of resolutions affecting Sine Die adjournment;

(2) receipt and consideration of gubernatorial vetoes;

(3) receipt and consideration of the General Appropriations Bill, the Capital Reserve Fund Bill, and introduction, receipt, and consideration of a Continuing Resolution to fund the ordinary expenses of state government until the passage of the General Appropriations Bill, concurrence and nonconcurrence and amendments to these bills returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and disposition of conference and free conference reports on the matters identified in this item;

(4) receipt and consideration of legislation necessary to address any shortfall in revenue meeting the conditions of Section 11‑9‑890;

(5) introduction, receipt, and consideration of resolutions expressing sympathy or congratulations;

(6) convening of a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly; and

(7) receipt, consideration, and confirmation of magistrate appointments.

(D) The President Pro Tempore of the Senate and the Speaker of the House of Representatives may set a mutually agreed upon time or times prior to Sine Die adjournment for officers of the Senate and House to ratify acts.

(E) Unless the session is otherwise adjourned Sine Die at an earlier date, the 2012 session of the General Assembly shall stand adjourned Sine Die not later than Monday, November 12, 2012, when the terms of office of the senators and representatives chosen at the 2012 general election begin.

(F) For purposes of Section 1‑3‑210 and after June 21, 2012, when neither the House of Representatives or the Senate have been called into session pursuant to the provisions of this resolution, the General Assembly intends that the legislature be considered in recess for purposes of the Governor being allowed to fill vacancies by interim appointments, except for the office of magistrate which may only be filled by interim appointment upon recommendation of the respective Senatorial delegation.

(G) For purposes of the Administrative Procedures Act in regard to the one hundred twenty day period the General Assembly has to review state agency regulations, this one hundred twenty day period is tolled Friday, June 8, 2012, until January 8, 2013.

Senator LARRY MARTIN asked unanimous consent to take the Concurrent Resolution up for immediate consideration.

There was no objection.

Senator LARRY MARTIN explained the Concurrent Resolution.

The question then was the adoption of the Concurrent Resolution.

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

**Ayes 39; Nays 3**

**AYES**

Alexander Bryant Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

Bright Ford *Martin, Shane*

**Total--3**

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

**REPORT OF STANDING COMMITTEE**

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

H. 4943 -- Reps. Lowe, Crawford, Erickson, Patrick, Brannon, Ott, Bowers, G.A. Brown, Clemmons, Cole, Frye, Merrill, Pitts, Spires, Tallon, White, Knight and G.M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑715 SO AS TO PROVIDE FOR THE HUNTING OF COYOTES, ARMADILLOS, AND FERAL HOGS ON PRIVATE PROPERTY DURING NIGHTTIME HOURS.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., June 1, 2012

Mr. President and Senators:

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

S. 947 -- Senators Malloy and Williams: A BILL TO PROVIDE FOR AN ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2012 GENERAL ELECTION TO DETERMINE WHETHER OR NOT THE QUALIFIED ELECTORS OF MARLBORO COUNTY FAVOR CREATING A STATE AUTHORITY TO MANAGE AND OPERATE LAKE PAUL A. WALLACE TO BE FUNDED BY THE SALE OF WATER FROM THE LAKE TO THE CITY OF BENNETTSVILLE OR OTHER USERS AND BY LOCAL PROPERTY TAX REVENUE, FEES CHARGED FOR THE USE OF THE LAKE AND OTHER FUNDING SOURCES TO OPERATE THE FACILITY FOR THE PUBLIC PURPOSE FOR WHICH IT WAS CREATED, WITH THE STATE OF SOUTH CAROLINA RETAINING OWNERSHIP OF THE LAKE.

Respectfully submitted,

Speaker of the House

Received as information.

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

**Message from the House**

Columbia, S.C., June 1, 2012

Mr. President and Senators:

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

S. 1417 -- Senator Land: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “SOUTH CAROLINA TENNIS PATRONS FOUNDATION” SPECIAL LICENSE PLATES.

Respectfully submitted,

Speaker of the House

Received as information.

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

**Message from the House**

Columbia, S.C., June 1, 2012

Mr. President and Senators:

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

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.

Respectfully submitted,

Speaker of the House

Received as information.

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

**Message from the House**

Columbia, S.C., June 1, 2012

Mr. President and Senators:

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

S. 1167 -- Senator Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 31‑6‑85 SO AS TO ALLOW A MUNICIPALITY AND ONE OR MORE TAXING DISTRICTS TO PROVIDE BY INTERGOVERNMENTAL AGREEMENT FOR PARTIAL OR MODIFIED PARTICIPATION IN A REDEVELOPMENT PROJECT; AND TO AMEND SECTION 31‑6‑80, SO AS TO CLARIFY AN AMENDMENT TO THE TAX INCREMENT FINANCING LAW.

Respectfully submitted,

Speaker of the House

Received as information.

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

**Message from the House**

Columbia, S.C., June 5, 2012

Mr. President and Senators:

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

S. 836 -- Senators Grooms, Verdin, Knotts, Bright, Bryant, Courson, Campsen, McConnell, Cleary, Rose, Hayes, Shoopman, Massey, Campbell, Fair, Gregory, Cromer, L. Martin and Alexander: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 10 TO ENACT THE INTERSTATE HEALTHCARE COMPACT, TO PROVIDE THAT COMPACT MEMBERS MUST TAKE ACTION TO OBTAIN CONGRESSIONAL CONSENT TO THE COMPACT, TO PROVIDE THAT THE LEGISLATURE IS VESTED WITH THE RESPONSIBILITY TO REGULATE HEALTHCARE DELIVERED IN THEIR STATE, TO PROVIDE FOR HEALTHCARE FUNDING, TO ESTABLISH THE INTERSTATE ADVISORY HEALTH CARE COMMISSION AND TO PROVIDE ITS COMPOSITION, POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THE EFFECTIVE DATE OF THE COMPACT, TO PROVIDE FOR AMENDING THE COMPACT, TO PROVIDE FOR THE MANNER OF WITHDRAWAL FROM THE COMPACT, AND TO PROVIDE NECESSARY DEFINITIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2012

Mr. President and Senators:

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

H. 4054 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑36 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO HUNT MIGRATORY WATERFOWL ON LAKE KEOWEE WITHIN TWO HUNDRED YARDS OF A DWELLING, AND TO PROVIDE A PENALTY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2012

Mr. President and Senators:

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

H. 4652 -- Reps. Sandifer, Harrell, Lucas, Bingham, Hardwick, Harrison, Owens, White, Allison, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bikas, Bowen, Brady, Brannon, Chumley, Clemmons, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Edge, Erickson, Forrester, Frye, Gambrell, Hamilton, Hearn, Henderson, Herbkersman, Hiott, Hixon, Horne, Huggins, Limehouse, Loftis, Long, Lowe, McCoy, Merrill, D.C. Moss, V.S. Moss, Murphy, Nanney, Norman, Parker, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Ryan, Simrill, Skelton, G.M. Smith, G.R. Smith, J.R. Smith, Sottile, Southard, Spires, Stringer, Tallon, Taylor, Thayer, Tribble, Viers, Whitmire, Willis, Young, Battle, Hayes and Anthony: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 41‑7‑10, RELATING TO PUBLIC POLICY CONCERNING THE RIGHT TO WORK, SO AS TO PROVIDE CERTAIN DEFINITIONS AND TO LIMIT APPLICABILITY OF THOSE DEFINITIONS; TO AMEND SECTION 41‑7‑80, RELATING TO PENALTIES FOR A VIOLATION OF RIGHT TO WORK LAWS, SO AS TO PROVIDE A RANGE FOR AN APPLICABLE FINE FROM ONE THOUSAND DOLLARS TO A MAXIMUM OF TEN THOUSAND DOLLARS; TO AMEND SECTION 41‑7‑90, RELATING TO COURT REMEDIES AVAILABLE TO A PERSON FOR A VIOLATION OF HIS RIGHT TO WORK, SO AS TO PERMIT TREBLE DAMAGES, REQUIRE A PERSON SEEKING THIS RELIEF TO CONTEMPORANEOUSLY PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION WITH THE BASIS FOR THE LAWSUIT, AND PROVIDE AN EXCEPTION; TO AMEND SECTION 41‑7‑100, RELATING TO CIVIL PENALTIES THE DEPARTMENT MAY ASSESS FOR A VIOLATION AND RELATED APPEALS, SO AS TO PROVIDE A CIVIL PENALTY MAY NOT EXCEED TEN THOUSAND DOLLARS; TO ADD SECTION 41‑7‑110 SO AS TO PROVIDE AN EMPLOYER OR AN EMPLOYEE WITH PERMISSION MAY CONSPICUOUSLY POST CERTAIN NOTICE CONCERNING THE RIGHTS OF AN EMPLOYEE; AND TO ADD SECTION 41-7-130 REQUIRING CERTAIN REPORTS TO BE FILED WITH THE DEPARTMENT OF LABOR, LICENSING AND REGULATION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2012

Mr. President and Senators:

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

H. 4687 -- Reps. King, Parks, Butler Garrick, J.E. Smith and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-63-74 SO AS TO REQUIRE DEATH CERTIFICATES TO BE ELECTRONICALLY TRANSMITTED AMONG ALL PARTIES REQUIRED TO COMPLETE THE DEATH CERTIFICATE; TO REQUIRE ELECTRONIC FILING OF THE DEATH CERTIFICATE WITH THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE THAT REQUIRED SIGNATURES MUST BE PROVIDED ELECTRONICALLY; AND TO DEFINE “ELECTRONIC SIGNATURE”.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 5, 2012

Mr. President and Senators:

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

H. 5287 -- Reps. Pope, Delleney, King, Long, D.C. Moss, V.S. Moss, Norman and Simrill: A BILL TO AMEND SECTION 22‑2‑190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY JURY AREAS, SO AS TO PROVIDE FOR JURY AREAS IN RICHLAND AND YORK COUNTIES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 22, 2012

Mr. President and Senators:

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

H. 3400 -- Rep. Weeks: A BILL TO AMEND SECTION 63‑3‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OF THE FAMILY COURT IN CERTAIN MATTERS, SO AS TO PROVIDE THAT A CHILD SUPPORT OBLIGATION AUTOMATICALLY TERMINATES WHEN THE CHILD TURNS EIGHTEEN OR GRADUATES FROM HIGH SCHOOL, WHICHEVER IS SOONER.

Very respectfully,

Speaker of the House

Received as information.

**H. 3400--SENATE INSISTS ON THEIR AMENDMENTS**

**CONFERENCE COMMITTEE APPOINTED**

H. 3400 -- Rep. Weeks: A BILL TO AMEND SECTION 63‑3‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OF THE FAMILY COURT IN CERTAIN MATTERS, SO AS TO PROVIDE THAT A CHILD SUPPORT OBLIGATION AUTOMATICALLY TERMINATES WHEN THE CHILD TURNS EIGHTEEN OR GRADUATES FROM HIGH SCHOOL, WHICHEVER IS SOONER.

On motion of Senator LARRY MARTIN, the Senate insisted upon its amendments to H. 3400 and asked for a Committee of Conference.

Whereupon, Senators CAMPSEN, SHEHEEN and CAMPBELL were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**RECESS**

At 12:27 P.M., on motion of Senator COURSON, the Senate receded from business until 1:30 P.M.

**AFTERNOON SESSION**

The Senate reassembled at 1:45 P.M. and was called to order by the PRESIDENT.

**Call of the Senate**

Senator 1:50 P.M., Senator COURSON moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson Peeler Pinckney

Rose Ryberg Setzler

Sheheen Shoopman Thomas

Verdin Williams

A quorum being present, the Senate resumed.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 05, 2012, at 4:20 P.M. and the following Acts and Joint Resolutions were ratified:

(R211, S. 102) -- Senators Grooms, Fair, Verdin and Campsen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑71‑238 SO AS TO PROHIBIT QUALIFIED HEALTH PLANS OFFERED THROUGH A HEALTH CARE EXCHANGE REQUIRED BY THE FEDERAL “PATIENT PROTECTION AND AFFORDABLE CARE ACT” FROM OFFERING ABORTION COVERAGE, AND TO PROVIDE FOR CERTAIN EXCEPTIONS.

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(R212, S. 149) -- Senators Campsen, Rose, McConnell, Ryberg, Fair, Massey, Leventis, Bryant, Davis, Shoopman, Grooms and Hayes: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “EQUAL ACCESS TO INTERSCHOLASTIC ACTIVITIES ACT” BY ADDING SECTION 59‑63‑100 SO AS TO PERMIT HOME SCHOOL STUDENTS AND GOVERNOR’S SCHOOL STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES OF THE SCHOOL DISTRICT IN WHICH THE STUDENTS RESIDE SUBJECT TO CERTAIN CONDITIONS, AND TO PROVIDE ADDITIONAL REQUIREMENTS FOR CHARTER SCHOOL STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES.

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(R213, S. 429) -- Senators Hayes and Ford: AN ACT TO AMEND SECTION 62‑7‑918, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT, SO AS TO PROVIDE FOR THE PROCESS TO DETERMINE THE ALLOCATION OF PAYMENT MADE FROM A SEPARATE FUND TO CERTAIN TRUSTS AND TO PROVIDE COMMENT; AND TO AMEND SECTION 62‑7‑929, RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT, SO AS TO PROVIDE THE SOURCE OF FUNDS THAT MUST PAY FOR A TAX ON A TRUST’S SHARE OF THE TAXABLE INCOME OF THE ENTITY AND TO PROVIDE COMMENT.

L:\COUNCIL\ACTS\429DG12.DOCX

(R214, S. 1014) -- Senator Knotts: AN ACT TO AMEND SECTION 17‑5‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS REQUIRED FOR CANDIDATES FOR CORONER, SO AS TO ELIMINATE TWO YEARS EXPERIENCE AS A LICENSED PRIVATE DETECTIVE AS A QUALIFICATION FOR THE BALLOT AND ADD AS QUALIFICATIONS BEING A MEDICAL DOCTOR OR HOLDING A BACHELOR OF SCIENCE DEGREE IN NURSING, TO REPLACE ON THE CORONERS TRAINING ADVISORY COMMITTEE THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY WITH THE DIRECTOR OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, AND TO PROVIDE THAT THE COMMITTEE SHALL DETERMINE THOSE FORENSIC SCIENCE DEGREE AND CERTIFICATION PROGRAMS THAT QUALIFY AS “RECOGNIZED” FOR PURPOSES OF THE TRAINING REQUIREMENTS REQUIRED FOR CANDIDATES FOR CORONER.

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(R215, S. 1029) -- Senator L. Martin: AN ACT 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.

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(R216, S. 1033) -- Senators Verdin and Elliott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING CHAPTER 43, TITLE 46 RELATING TO THE MIGRANT FARM WORKERS COMMISSION, ITS MEMBERS, POWERS, AND DUTIES.

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(R217, S. 1059) -- Senators Cromer and Elliott: AN ACT TO AMEND SECTION 48‑4‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO ADJUST THE COMPOSITION OF THE BOARD TO REFLECT THE ADDITION OF THE NEW CONGRESSIONAL DISTRICT, TO REVISE THE PROCEDURES BY WHICH A BOARD MEMBER IS APPOINTED CHAIRMAN, AND TO STAGGER THE MEMBERS’ TERMS; TO AMEND SECTION 48‑4‑60, RELATING TO THE APPOINTMENT OF THE DIRECTOR OF THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED WITH THE ADVICE AND CONSENT OF THE SENATE; TO AMEND SECTION 48‑4‑50, RELATING TO THE DUTIES OF THE GOVERNING BOARD, SO AS TO CLARIFY THAT THE GOVERNING BOARD HAS NO DUTY OR AUTHORITY CONCERNING THE MANAGEMENT OF, CONTROL OVER, OR ADMINISTRATION OF THE DAY TO DAY AFFAIRS OF THE DEPARTMENT; AND TO CLARIFY THE EFFECT OF CONGRESSIONAL REAPPORTIONMENT UPON THE MEMBERSHIP AND COMPOSITION OF THE GOVERNING BOARD.

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(R218, S. 1092) -- Senators Jackson, Courson, Lourie and Scott: AN ACT TO ABOLISH THE RICHLAND COUNTY BOARD OF ASSESSMENT CONTROL AND DEVOLVE ALL OF ITS DUTIES, POWERS, AND FUNCTIONS UPON THE RICHLAND COUNTY COUNCIL AND TO REPEAL SECTION 1 OF ACT 952 OF 1958.

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(R219, S. 1134) -- Senator McGill: AN ACT TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO CAPITAL IMPROVEMENT BOND AUTHORIZATIONS, SO AS TO REVISE THE PURPOSE FOR WHICH CAPITAL IMPROVEMENT BOND AUTHORIZATIONS MAY BE USED AT WILLIAMSBURG TECHNICAL COLLEGE.

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(R220, S. 1143) -- Senators Verdin and Rose: A JOINT RESOLUTION TO ESTABLISH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS AS THE OFFICIAL CIVIL WAR ERA HISTORIC DRIVING TRAILS OF SOUTH CAROLINA; TO PERMIT SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS TO CONSULT WITH THE SOUTH CAROLINA CIVIL WAR SESQUICENTENNIAL ADVISORY BOARD AND THE DEPARTMENT OF ARCHIVES AND HISTORY CONCERNING THE PLANNING, DEVELOPMENT, ESTABLISHMENT, MAINTENANCE, AND MARKETING OF THE TRAILS; TO ENCOURAGE THE DEPARTMENT OF TRANSPORTATION TO WORK WITH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS CONCERNING THE PLACEMENT OF SIGNS ADJACENT TO THE STATE HIGHWAY SYSTEM; AND TO ENCOURAGE THE APPROPRIATE GOVERNMENT AGENCIES TO COOPERATE WITH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS CONCERNING EDUCATIONAL AND MARKETING MATERIALS.

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(R221, S. 1247) -- Senators Alexander, Rankin and Hutto: AN ACT TO AMEND SECTION 58‑3‑250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SERVICE OF FINAL ORDERS AND DECISIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO ALLOW THE COMMISSION TO SERVE A FINAL ORDER OR DECISION BY ELECTRONIC SERVICE, REGISTERED MAIL, OR CERTIFIED MAIL.

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(R222, S. 1319) -- Senators L. Martin, Matthews, Hayes and Ford: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑75‑1010 SO AS TO PROVIDE THAT A TITLE INSURER MAY ISSUE CLOSING OR SETTLEMENT INSURANCE, TO PROVIDE FOR LOSS AGAINST WHICH THIS INSURANCE MAY INDEMNIFY AN INSURED, AND TO PROVIDE THAT A PREMIUM CHARGED PURSUANT TO THIS SECTION MUST BE APPROVED BY THE DEPARTMENT AND MUST NOT BE SUBJECT TO ANY AGREEMENT REQUIRING A DIVISION OF FEES OR PREMIUMS COLLECTED ON BEHALF OF THE TITLE INSURER.

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(R223, S. 1331) -- Senators Leatherman and Ford: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13‑17‑89 SO AS TO PROVIDE THAT NO PROVISION IN CHAPTER 17, TITLE 13 MAY BE CONSTRUED TO AUTHORIZE THE SOUTH CAROLINA RESEARCH AUTHORITY TO COMMIT THE CREDIT AND TAXING POWER OF THE STATE, TO PROVIDE A WRITTEN NOTICE REQUIREMENT WHEN THE AUTHORITY HAS CERTAIN RELATIONSHIPS WITH A NONPROFIT ENTITY THAT ESTABLISHES A FOR‑PROFIT ENTITY, AND TO PROVIDE THAT A FAILURE TO PROVIDE THIS NOTICE MAY NOT BE CONSTRUED TO INDICATE THE AUTHORITY MAY PLEDGE THE CREDIT AND TAXING POWER OF THE STATE; TO AMEND SECTION 13‑17‑40, AS AMENDED, RELATING TO THE MEMBERSHIP AND TERMS OF THE BOARD OF TRUSTEES AND EXECUTIVE COMMITTEE OF THE AUTHORITY, SO AS TO PROVIDE FOR THE ELECTION OF TWO ADDITIONAL TRUSTEES, TO PERMIT A UNIVERSITY PRESIDENT WHO IS AN EX OFFICIO MEMBER OF THE BOARD TO DESIGNATE THE CHIEF RESEARCH OFFICER OF HIS UNIVERSITY TO PARTICIPATE AND VOTE IN NO MORE THAN TWO MEETINGS OF THE EXECUTIVE COMMITTEE EACH YEAR, TO PROVIDE FOR MEMBERS’ TERMS, FILLING OF VACANCIES, AND REMOVAL OF EXECUTIVE COMMITTEE MEMBERS, AND TO ALLOW THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE AND THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, OR THEIR DESIGNEES, TO SERVE ON THE BOARD, AND TO DELETE ARCHAIC REFERENCES; TO AMEND SECTION 13‑17‑70, AS AMENDED, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES OF THE AUTHORITY, SO AS TO PROVIDE THE BOARD MAY PROVIDE GUARANTEES AS SECURITY FOR CERTAIN OBLIGATIONS; TO AMEND SECTION 13‑17‑87, AS AMENDED, RELATING TO COSTS ASSOCIATED WITH INNOVATION CENTERS ESTABLISHED BY THE AUTHORITY, SO AS TO MAKE CERTAIN FINANCING OPTIONAL RATHER THAN MANDATORY, TO EXPAND THE SOURCES OF FUNDING AVAILABLE FOR FINANCING THESE COSTS, AND TO PROHIBIT THE USE OF A PLEDGE OF CREDIT AND TAXING POWER OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE TO FINANCE THESE COSTS; AND TO AMEND SECTION 8‑13‑770, AS AMENDED, RELATING TO MEMBERS OF THE GENERAL ASSEMBLY SERVING ON BOARDS, SO AS TO MAKE CONFORMING CHANGES.

L:\COUNCIL\ACTS\1331DG12.DOCX

(R224, S. 1364) -- Senator Cromer: AN ACT TO AMEND SECTIONS 50‑5‑1705 AND 50‑5‑1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LAWFUL SIZE AND CATCH LIMITS FOR CERTAIN FISH, SO AS TO PROVIDE LAWFUL SIZE AND CATCH LIMITS FOR SHEEPSHEAD (ARCHOSARGUS PROBATOCEPHALUS).

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(R225, S. 1392) -- Senators Campbell and Ford: AN ACT TO AMEND SECTION 34‑13‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TOTAL LIABILITIES OF ANY ONE BORROWER TO A BANK, SO AS TO DEFINE “TOTAL LIABILITIES” WHICH SHALL INCLUDE “DERIVATIVE TRANSACTIONS” AND TO ALSO DEFINE “DERIVATIVE TRANSACTIONS” FOR THIS PURPOSE; AND TO AMEND SECTION 34‑13‑70, RELATING TO THE MAXIMUM AMOUNT OF LOANS BY A STATE BANK TO A BORROWER, SO AS TO DEFINE “LOAN” WHICH SHALL INCLUDE “DERIVATIVE TRANSACTIONS”, AND TO ALSO DEFINE “DERIVATIVE TRANSACTIONS” FOR THIS PURPOSE.

L:\COUNCIL\ACTS\1392AB12.DOCX

(R226, S. 1429) -- Senators Alexander and Ford: AN ACT TO AMEND ARTICLE 3, CHAPTER 36, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALZHEIMER’S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER AND ITS ADVISORY COUNCIL, SO AS TO CLARIFY THAT THIS CENTER IS IN THE OFFICE OF THE LIEUTENANT GOVERNOR.

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(R227, S. 1492) -- Senator Bryant: AN ACT TO PROVIDE THAT IF THE BOUNDARY LINE BETWEEN TWO SCHOOL DISTRICTS IN ANDERSON COUNTY BISECTS A PARCEL OF REAL PROPERTY ON WHICH A HOME IS LOCATED THAT CONSTITUTES THE PRINCIPAL RESIDENCE OF SCHOOL‑AGED CHILDREN LIVING THEREIN AS WELL AS THEIR PARENTS OR LEGAL GUARDIANS, OR, IN THE ALTERNATIVE, BISECTS AN ADJOINING PARCEL OR PARCELS OWNED BY THE PARENTS OR LEGAL GUARDIANS OR MEMBERS OF THEIR IMMEDIATE FAMILY ALL OF WHICH ARE CONTIGUOUS TO EACH OTHER, THOSE CHILDREN ARE ENTITLED TO ATTEND THE SCHOOLS OF EITHER DISTRICT REGARDLESS OF THE DISTRICT IN WHICH THE BUILDING ITSELF CONSTITUTING THE PRINCIPAL RESIDENCE IS LOCATED, AND REGARDLESS OF THE AMOUNT OF SCHOOL OPERATING OR DEBT SERVICE AD VALOREM PROPERTY TAXES RECEIVED BY OR REIMBURSED TO EITHER DISTRICT.

L:\COUNCIL\ACTS\1492SD12.DOCX

(R228, H. 3111) -- Reps. Young, Sandifer, Hayes and D.C. Moss: AN ACT TO AMEND SECTION 42‑15‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY APPROVAL OF CERTAIN ATTORNEY AND PHYSICIAN FEES BY THE WORKERS’ COMPENSATION COMMISSION, SO AS TO PROVIDE FOR THE ADOPTION AND ADJUSTMENT OF FEE SCHEDULES BY THE COMMISSION, TO PROVIDE FOR THE ADJUSTMENT OF PROPOSED FEE SCHEDULES BY THE COMMISSION, AND TO PROVIDE FOR AN APPEAL PROCESS FROM A DECISION OF THE COMMISSION CONCERNING A FEE SCHEDULE; AND TO AMEND SECTION 1‑23‑600, AS AMENDED, RELATING TO ENUMERATED EXCEPTIONS FROM CONTESTED CASES FROM DEPARTMENTS OF THE EXECUTIVE BRANCH THAT MUST BE HEARD BY THE ADMINISTRATIVE LAW COURT, SO AS TO DELETE THE EXEMPTION OF THE WORKERS’ COMPENSATION COMMISSION.

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(R229, H. 3390) -- Reps. R.L. Brown and Whipper: AN ACT TO AMEND SECTION 57‑9‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONING A COURT TO ABANDON OR CLOSE A STREET, ROAD, OR HIGHWAY, SO AS TO PROVIDE THAT A NOTICE OF INTENTION TO FILE A PETITION MUST BE POSTED ALONG THE STREET, ROAD, OR HIGHWAY SUBJECT TO THE APPROVAL OF THE LOCATION OF THE POSTING BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTENANCE OF THE STREET, ROAD, OR HIGHWAY, AND TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PROMULGATE REGULATIONS THAT WILL ESTABLISH THE MINIMUM MANDATORY SIZE, LANGUAGE, AND POSITIONING OF SIGNS PURSUANT TO THIS SECTION.

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(R230, H. 3478) -- Reps. Young, D.C. Moss, Gambrell, Agnew, Bowen, H.B. Brown, Clyburn, Spires, Frye, Bingham, Cobb‑Hunter, Hardwick, Hayes, Herbkersman, Hixon, Horne, Hosey, Lucas, McEachern, Ott, Quinn, G.R. Smith, J.R. Smith, Taylor, Umphlett and White: AN ACT TO AMEND SECTION 39‑41‑235, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETROLEUM PRODUCTS AND DIESEL FUEL SUITABLE FOR BLENDING, SALE OF UNBLENDED PRODUCTS WITHOUT NECESSARY ADDITIVES, RECORDKEEPING AND REGISTRATION, ENFORCEMENT, WHOLESALER RESPONSIBILITY, LIABILITY, AND NOTICE, SO AS TO PROVIDE THAT THESE REQUIREMENTS APPLY TO EVERY TERMINAL OPERATOR, SUPPLIER, PERMISSIVE SUPPLIER, REFINER, OR ANY OTHER PERSON OR ENTITY INVOLVED IN THE BULK TRANSFER OF MOTOR FUEL, TO PROVIDE THOSE CIRCUMSTANCES WHEN CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS DO NOT APPLY BECAUSE OF SPECIFIED HINDRANCES TO COMPLIANCE, AND TO PROVIDE THOSE CIRCUMSTANCES LIMITING THE LIABILITY OF A REFINER, SUPPLIER, WHOLESALER, OR RETAILER FOR THE DISPENSING OF INCOMPATIBLE MOTOR FUEL AT A RETAIL SITE.

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(R231, H. 3657) -- Reps. Cooper and Ott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑45‑17 SO AS TO PROVIDE MINIMUM CONTINUING EDUCATION COURSE REQUIREMENTS FOR COUNTY TAX COLLECTORS AND PROVIDE EXCEPTIONS; BY ADDING SECTION 12‑59‑85 SO AS TO ALLOW A COUNTY FORFEITED LAND COMMISSION TO REFUSE TO ACCEPT TITLE TO PROPERTY WHEN REFUSAL IS IN THE PUBLIC INTEREST; AND TO AMEND SECTIONS 12‑51‑50, AS AMENDED, AND 12‑51‑70, RELATING TO DELINQUENT TAX SALES, SO AS TO PROVIDE FOR THE SALES DATE AND TO INCREASE FROM THREE HUNDRED TO FIVE HUNDRED DOLLARS THE DAMAGES FOR WHICH A DEFAULTING BIDDER IS LIABLE.

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(R232, H. 3720) -- Reps. Cooper, Henderson and Patrick: AN ACT TO AMEND SECTION 12‑6‑3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE JOBS TAX CREDIT, SO AS TO REVISE THE REQUIREMENTS OF A QUALIFYING SERVICE‑RELATED FACILITY AND A TECHNOLOGY INTENSIVE FACILITY; TO AMEND SECTION 12‑20‑105, AS AMENDED, RELATING TO TAX CREDITS FOR PROVIDING INFRASTRUCTURE, SO AS TO INCREASE THE MAXIMUM AGGREGATE CREDIT TO FOUR HUNDRED THOUSAND DOLLARS ANNUALLY AND TO DEFINE SITE PREPARATION COSTS; TO AMEND SECTION 12-44-30, AS AMENDED, RELATING TO THE DEFINITION OF ‘TERMINATION DATE’ FOR PURPOSES OF FEE IN LIEU OF TAXES, SO AS TO PROVIDE THAT WITH RESPECT TO A FEE AGREEMENT INVOLVING AN ENHANCED INVESTMENT, THE TERMINATION DATE IS THE LAST DAY OF A PROPERTY TAX YEAR THAT IS NO LATER THAN THE THIRTY-NINTH YEAR FOLLOWING THE FIRST PROPERTY TAX YEAR IN WHICH THE PROPERTY IS PLACED IN SERVICE, AND TO ALLOW FOR AN EXTENSION; TO AMEND SECTIONS 4‑12‑30, 4‑29‑67, AND 12‑44‑90, ALL AS AMENDED, RELATING TO FEE IN LIEU OF TAXES, SO AS TO PROVIDE THAT A COUNTY AUDITOR OR COUNTY ASSESSOR MAY REQUEST AND OBTAIN ANY FINANCIAL BOOKS AND RECORDS FROM A SPONSOR THAT SUPPORT THE SPONSOR’S TAX FORM OR RETURN TO VERIFY THE CALCULATIONS OF THE FEE IN LIEU OF TAXES TAX FORM OR RETURN;  AND TO AMEND SECTION 12‑36‑2120, AS AMENDED, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT COMPUTERS, COMPUTER EQUIPMENT, COMPUTER HARDWARE AND SOFTWARE PURCHASES FOR A DATACENTER AND ELECTRICITY USED BY A DATACENTER.

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(R233, H. 4033) -- Reps. Patrick and Loftis: AN ACT TO AMEND SECTION 4‑10‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CAPITAL PROJECT SALES TAX ACT, SO AS TO PROVIDE THAT THE AUTHORIZED PROJECTS THAT ARE ALLOWED TO BE FUNDED BY A COUNTY CAPITAL PROJECT SALES TAX INCLUDE DREDGING, DEWATERING, CONSTRUCTION OF SPOIL SITES, AND DISPOSAL OF SPOIL MATERIALS; AND TO AMEND SECTIONS 5‑37‑40, 5‑37‑50, AND 5‑37‑100, ALL AS AMENDED, RELATING TO THE MUNICIPAL IMPROVEMENT ACT, SO AS TO PROVIDE THAT A MUNICIPAL IMPROVEMENT DISTRICT MAY BE CREATED FOR THE SOLE PURPOSE OF THE WIDENING AND DREDGING OF WATERWAYS WITHOUT PRIOR WRITTEN CONSENT OF OWNERS OF OWNER‑OCCUPIED RESIDENTIAL PROPERTY AT THE TIME THE IMPROVEMENT DISTRICT IS CREATED.

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(R234, H. 4092) -- Reps. Limehouse, Sottile, Gilliard, Stavrinakis, McCoy, Whipper and R.L. Brown: AN ACT TO AMEND SECTION 44‑95‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACES WHERE SMOKING IS PROHIBITED, SO AS TO PROVIDE THAT SMOKING IS NOT ALLOWED IN BUILDINGS, PORTIONS OF BUILDINGS, AND AREAS CONTIGUOUS TO THESE BUILDINGS OWNED, LEASED, OR OPERATED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING THAT THE GOVERNING BODY OF THE INSTITUTION HAS DESIGNATED AS NONSMOKING.

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(R235, H. 4516) -- Reps. Harrison and Weeks: AN ACT TO AMEND SECTION 43‑35‑15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INVESTIGATION OF ABUSE, NEGLECT, AND EXPLOITATION OF VULNERABLE ADULTS IN CERTAIN FACILITIES OPERATED BY THE STATE, SO AS TO PROVIDE THAT NONCRIMINAL REPORTS OF ABUSE, NEGLECT, AND EXPLOITATION OF PERSONS COMMITTED TO THE DEPARTMENT OF MENTAL HEALTH PURSUANT TO THE SEXUALLY VIOLENT PREDATOR ACT MUST BE REFERRED BY THE STATE LAW ENFORCEMENT DIVISION TO THE CLIENT ADVOCACY PROGRAM OF THE DEPARTMENT OF MENTAL HEALTH FOR INVESTIGATION.

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(R236, H. 4689) -- Reps. Hiott, Skelton, Owens, Hixon, Loftis, Hodges, Knight, Dillard, Erickson, Crawford, Clyburn and Anderson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑1‑143 SO AS TO PROVIDE HEALTH AND SANITARY REQUIREMENTS FOR HOME BASED FOOD PRODUCTION OPERATIONS, INCLUDING SANITATION REQUIREMENTS, LABELING REQUIREMENTS, AND PROCEDURES FOR PROTECTING FOOD ITEMS WHILE PREPARING, PROCESSING, PACKAGING, STORING, AND DISTRIBUTING; TO PROVIDE THAT THESE OPERATIONS MAY NOT SELL FOOD ITEMS FOR RESALE OR WHOLESALE; TO PROVIDE THAT THESE OPERATIONS ARE NOT RETAIL FOOD ESTABLISHMENTS; TO EXEMPT OPERATIONS WITH A NET EARNINGS OF LESS THAN FIVE HUNDRED DOLLARS ANNUALLY; AND TO PROVIDE THAT AN OPERATION MAY APPLY FOR AN EXEMPTION FROM INSPECTION AND LABEL REVIEW BY THE DEPARTMENT OF AGRICULTURE IF ITS ANNUAL SALES ARE LESS THEN FIFTEEN THOUSAND DOLLARS.

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(R237, H. 4705) -- Reps. Brady, Butler Garrick, Long, Funderburk, Thayer, Henderson, Pope, Whipper and R.L. Brown: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑37‑60 SO AS TO REQUIRE HOSPITALS TO PROVIDE PARENTS OF NEWBORNS, PRIOR TO DISCHARGE, EDUCATIONAL INFORMATION ON PERTUSSIS DISEASE AND TO REQUIRE THIS INFORMATION TO INCLUDE THE CENTER FOR DISEASE CONTROL’S RECOMMENDATION THAT PARENTS RECEIVE THE TETANUS, DIPHTHERIA, AND PERTUSSIS VACCINE DURING POSTPARTUM TO PROTECT NEWBORNS FROM THE TRANSMISSION OF PERTUSSIS; AND TO PROVIDE THAT HOSPITALS ARE NOT REQUIRED TO PROVIDE OR PAY FOR A VACCINATION AGAINST PERTUSSIS.

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(R238, H. 4726) -- Reps. Pitts, Parks and Pinson: AN ACT TO AMEND SECTION 6‑11‑1230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF PUBLIC SERVICE DISTRICT AND SPECIAL PURPOSE DISTRICT COMMISSIONS, INCLUDING, AMONG OTHER THINGS, THE POWER TO ASSESS THE COST OF THE ESTABLISHMENT AND CONSTRUCTION OF A SEWER LATERAL COLLECTION LINE, SO AS TO PROVIDE THAT IF ON THE EFFECTIVE DATE OF THIS ACT A RESIDENTIAL SUBDIVISION HAD RECEIVED CONCEPTUAL APPROVAL FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR SEPTIC TANK USE AND SUBSEQUENTLY FIVE OR MORE LOTS IN THE SUBDIVISION WERE DENIED PERMITS BY THE DEPARTMENT, AN ASSESSMENT MAY BE LEVIED ON THE ABUTTING PARCELS IN THE SUBDIVISION FOR THE ACTUAL COSTS OF THE SEWER LATERAL COLLECTION LINES, TRANSMISSION LINES, AND ASSOCIATED INFRASTRUCTURE AND TO PROVIDE THAT A LETTER OR CERTIFICATE OF THE DEPARTMENT ESTABLISHES THESE CONDITIONS AUTHORIZING THE ASSESSMENT; AND TO AMEND SECTION 6-11-100, RELATING TO POWERS AND DUTIES OF BOARDS OF COMMISSIONERS OF SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICTS, SO AS TO PROVIDE THAT PROPERTY PURCHASED BY THESE BOARDS MAY BE HELD IN THE NAME OF THE COMMISSION OR THE NAME OF THE DISTRICT.

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(R239, H. 4886) -- Rep. Willis: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON FEBRUARY 17, 2012, BY THE STUDENTS OF FOUNTAIN INN ELEMENTARY SCHOOL OF GREENVILLE COUNTY SCHOOL DISTRICT, WHEN THE SCHOOL WAS CLOSED DUE TO BAT INFESTATION, IS EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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(R240, H. 4904) -- Reps. Bingham, Allison, Anthony and G.R. Smith: A JOINT RESOLUTION TO SUSPEND THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION PROVIDE PRINTED COPIES OF 2012 DISTRICT AND SCHOOL REPORT CARDS; TO REQUIRE A SCHOOL DISTRICT OR SCHOOL WITHIN THE DISTRICT TO PROVIDE PARENTS WITH A LINK TO THE REPORT CARDS VIA EMAIL OR OTHER COMMUNICATION METHODS UPON CERTAIN CONDITIONS; TO SUSPEND THE REQUIREMENT THAT SCHOOLS ADVERTISE THE DISTRICT AND SCHOOL 2012 REPORT CARD, BUT TO REQUIRE RESULTS TO BE PROVIDED TO AN AREA NEWSPAPER OF GENERAL CIRCULATION; TO ALLOW HIGH SCHOOLS TO OFFER STATE‑FUNDED WORKKEY ASSESSMENTS TO CERTAIN STUDENTS USING SPECIFIED FUNDS APPROPRIATED FOR FISCAL YEAR 2012‑2013, OR FOR THESE PURPOSES IN PRIOR YEARS; TO PROVIDE FOR FISCAL YEAR 2012‑2013 A ONE‑YEAR GRACE PERIOD FOR CERTAIN RECIPIENTS OF A SOUTH CAROLINA TEACHER LOAN, AND TO REQUIRE THE SOUTH CAROLINA STUDENT LOAN CORPORATION TO DEVELOP FORMS AND PROCEDURES TO IMPLEMENT THE GRACE PERIOD; AND TO DIRECT SAVINGS FROM CERTAIN PROVISIONS OF THIS ACT.

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(R241, H. 5026) -- Rep. J.E. Smith: AN ACT TO AMEND SECTION 1‑23‑600, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HEARINGS AND PROCEEDINGS BEFORE THE ADMINISTRATIVE LAW COURT, SO AS TO DELETE AN OBSOLETE REFERENCE EXEMPTING APPEALS FROM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO THE COURT; TO AMEND SECTION 56‑1‑286, AS AMENDED, RELATING TO THE SUSPENSION OR DENIAL OF THE DRIVERS’ LICENSE, PERMIT, OR NONRESIDENT’S OPERATING PRIVILEGE OF A PERSON WHO DRIVES AN AUTOMOBILE WHILE HAVING AN ALCOHOL CONCENTRATION OF TWO‑HUNDREDTHS OF ONE PERCENT, SO AS TO PROVIDE HE MAY SEEK A CONTESTED CASE HEARING BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS FOR A SUSPENSION UNDER THIS SECTION, TO MAKE CONFORMING CHANGES, TO PROVIDE THE DEPARTMENT AND ARRESTING OFFICER HAVE THE BURDEN OF PROOF IN THIS CONTESTED CASE, AND TO PROVIDE THE HEARING OFFICER SHALL RESCIND THE SUSPENSION IF NEITHER THE DEPARTMENT NOR ARRESTING OFFICER APPEAR AT THE HEARING, REGARDLESS OF WHETHER THE PERSON REQUESTING THE HEARING OR HIS ATTORNEY APPEARS AT THE HEARING; TO AMEND SECTION 56‑5‑2942, AS AMENDED, RELATING TO MANDATORY IMMOBILIZATION OF CERTAIN MOTOR VEHICLES, SO AS TO PROVIDE THE DEPARTMENT MAY ISSUE A DETERMINATION PERMITTING OR DENYING THE RELEASE OF THE VEHICLE TO ITS REGISTERED OWNER OR A MEMBER OF THE HOUSEHOLD OF THE REGISTERED OWNER BASED ON AN AFFIDAVIT FROM HIM CONTAINING CERTAIN INFORMATION, AND TO PROVIDE FOR AN APPEAL FROM A DEPARTMENT DETERMINATION TO THE OFFICE OF MOTOR VEHICLES FOR A CONTESTED HEARING PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT AND THE RULES AND PROCEDURES OF THE DEPARTMENT; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OR DENIAL OF THE DRIVERS’ LICENSE, PERMIT, OR NONRESIDENT’S OPERATING PRIVILEGE OF A PERSON WHO REFUSES TO SUBMIT TO CERTAIN ALCOHOL CONCENTRATION TESTING, AMONG OTHER THINGS, SO AS TO PROVIDE A PERSON MAY SEEK A CONTESTED CASE HEARING BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS FOR A SUSPENSION UNDER THIS SECTION, TO MAKE CONFORMING CHANGES, AND TO PROVIDE THE DEPARTMENT AND ARRESTING OFFICER HAVE THE BURDEN OF PROOF IN THIS CONTESTED CASE, AND TO PROVIDE THE HEARING OFFICER SHALL RESCIND THE SUSPENSION IF NEITHER THE DEPARTMENT NOR ARRESTING OFFICER APPEAR AT THE HEARING, REGARDLESS OF WHETHER THE PERSON REQUESTING THE HEARING OR HIS ATTORNEY APPEARS AT THE HEARING; AND TO AMEND SECTION 56‑5‑2952, AS AMENDED, RELATING TO THE FILING FEE FOR A CONTESTED CASE HEARING, SO AS TO INCREASE THE FEE TO TWO HUNDRED DOLLARS OR AS OTHERWISE PROVIDED BY THE OFFICE OF MOTOR VEHICLES, AND TO PROVIDE FUNDS RECEIVED FROM THE FEE MUST BE RETAINED BY THE ADMINISTRATIVE LAW COURT AND MUST FIRST BE USED TO MEET THE EXPENSES OF THE OFFICE OF MOTOR VEHICLE HEARINGS IN A CERTAIN MANNER.

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(R242, H. 5027) -- Reps. Hodges, Bowers and R.L. Brown: AN ACT TO AMEND SECTION 7‑7‑200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN COLLETON COUNTY, SO AS TO ADD THE “WALTERBORO NO. 5” PRECINCT, TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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(R243, H. 5051) -- Reps. Limehouse, Barfield, Tribble, Sabb, Hosey, Southard, J.H. Neal, Crawford, Parker, Brantley, Neilson, Erickson, Clemmons, Hearn, Hardwick, Loftis, Murphy, Ryan, McCoy, Anderson, Butler Garrick, Whitmire, Williams, Sottile, Alexander, Allen, Bowen, Pinson, Brannon, Johnson, Huggins, Spires, Sellers, Agnew, Anthony, Atwater, Bales, Bannister, Battle, Bedingfield, Bingham, Bowers, Branham, G.A. Brown, H.B. Brown, R.L. Brown, Chumley, Clyburn, Cobb‑Hunter, Cole, Corbin, Crosby, Daning, Delleney, Dillard, Edge, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Harrell, Harrison, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Howard, Jefferson, King, Long, Lowe, Lucas, Mack, McEachern, McLeod, D.C. Moss, V.S. Moss, Munnerlyn, J.M. Neal, Norman, Ott, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, Stringer, Tallon, Taylor, Toole, Vick, Weeks, Whipper, White and Willis: AN ACT TO AMEND SECTION 59‑103‑15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HIGHER EDUCATION MISSION AND GOALS FOR ALL PUBLIC HIGHER EDUCATION INSTITUTIONS IN THIS STATE, SO AS TO ALLOW A FOUR YEAR COLLEGE OR UNIVERSITY, WITH APPROVAL OF THE COMMISSION ON HIGHER EDUCATION, TO OFFER A DOCTORAL DEGREE IN MARINE SCIENCE.

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(R244, H. 5166) -- Reps. Willis, Pitts and Tribble: AN ACT TO AMEND SECTION 7‑7‑360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE CERTAIN PRECINCTS, TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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(R245, H. 5167) -- Rep. Frye: AN ACT TO REAPPORTION THE SEVEN SPECIFIC ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE GOVERNING BODY OF THE SALUDA 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, AND MAKE NECESSARY CONFORMING CHANGES.

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(R246, H. 5315) -- Reps. Stavrinakis, Whipper and R.L. Brown: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED DURING THE PERIOD OF JANUARY 3, 2012, THROUGH JANUARY 4, 2012, BY THE STUDENTS OF STALL HIGH SCHOOL IN CHARLESTON COUNTY WHEN THE SCHOOL WAS CLOSED DUE TO A GAS LEAK ARE EXEMPT FROM THE MAKE‑UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bills 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. 4887 -- Rep. Johnson: A BILL TO AMEND SECTION 7‑27‑275, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLARENDON COUNTY ELECTION COMMISSION AND THE CLARENDON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE CLARENDON COUNTY ELECTION COMMISSION AND THE CLARENDON COUNTY BOARD OF REGISTRATION INTO A SINGLE ENTITY.

H. 4758 -- Reps. Johnson, Brantley, Sabb, Govan, Brannon, Munnerlyn, Anthony, Edge, Pope, Simrill, Whipper and Weeks: A BILL TO AMEND SECTION 14‑7‑110 AND SECTION 14‑7‑140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY COMMISSIONERS FOR THE PURPOSE OF THE SUMMONING OF JURORS IN CIRCUIT COURT AND THE USE OF A COMPUTER FOR THE DRAWING AND SUMMONING OF JURORS IN CIRCUIT COURT, RESPECTIVELY, BOTH SO AS TO DELETE REFERENCES TO JURY COMMISSIONERS AND ALLOW THE CLERK OF COURT OR THE DEPUTY CLERK TO PERFORM THE FUNCTION OF DRAWING AND SUMMONING JURORS.

H. 4821 -- Reps. G.M. Smith, Pitts, Murphy, Horne, Hearn, McCoy, Stavrinakis, Bannister and Harrison: A BILL TO AMEND SECTION 8‑21‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT FEES AND COSTS, SO AS TO PROVIDE FOR THE FILING OF COURT DOCUMENTS BY ELECTRONIC MEANS FROM AN INTEGRATED ELECTRONIC FILING (E‑FILING) SYSTEM AND TO PROVIDE THAT FEES GENERATED FROM E‑FILING ARE TO BE USED IN SUPPORT OF COURT TECHNOLOGY.

Senator LEVENTIS asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

H. 3113 -- Reps. Clemmons and Viers: A BILL TO AMEND SECTION 50‑11‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPEN SEASON FOR ANTLERED DEER, SO AS TO REVISE THE OPEN SEASON DATES FOR GAME ZONE 4.

Senator SHANE MARTIN asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

**HOUSE BILLS RETURNED**

The following House Bill and Joint Resolution were read the third time and ordered returned to the House with amendments:

H. 4082 -- Reps. Vick, Edge, Hiott, Hayes, R.L. Brown, Jefferson, Bowers, Anthony, Skelton, Williams, McLeod, G.M. Smith, Weeks, Gilliard, Agnew, Horne, Funderburk, Tribble, Pinson, Clemmons and Neilson: A BILL TO AMEND SECTION 38‑7‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO PROVIDE THAT SEVEN PERCENT OF THE ANNUAL REVENUE OF THIS TAX MUST BE TRANSFERRED TO THE SOUTH CAROLINA FORESTRY COMMISSION AND USED BY IT FOR FIREFIGHTING AND FIREFIGHTING EQUIPMENT REPLACEMENT AND FOREST INDUSTRY ECONOMIC ENHANCEMENT.

Senator O’DELL explained the Bill.

H. 3986 -- Reps. Hayes and Bingham: A JOINT RESOLUTION TO ALLOW A SCHOOL DISTRICT THAT HAS RECEIVED FUNDS PURSUANT TO SECTION 59‑21‑430 THAT ARE SET TO LAPSE ON OR BEFORE JUNE 30, 2011, TO RETAIN THOSE FUNDS AND USE THEM FOR THE SAME PURPOSES UNTIL JUNE 30, 2012.

Senator HAYES explained the Bill.

H. 4665 -- Reps. Hixon, Clyburn, J.R. Smith, Spires, Taylor and Young: A BILL TO AMEND ACT 571 OF 1967, AS AMENDED, RELATING TO THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, THE BOUNDARIES OF WHICH PURSUANT TO THIS ACT INCLUDE AREAS IN EDGEFIELD AND AIKEN COUNTIES, SO AS TO REVISE THE MANNER IN WHICH THE EXISTING MEMBERS OF THE GOVERNING BODY OF THE AUTHORITY ARE APPOINTED, AND TO ADD TWO MEMBERS TO THE GOVERNING BODY OF THE AUTHORITY FROM THE AREAS IN AIKEN COUNTY SERVED BY THE AUTHORITY.

H. 4798 -- Reps. McLeod and Bowers: A BILL TO AMEND SECTION 5‑7‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRIAL OF A PERSON IN A MUNICIPAL COURT, SO AS TO REVISE THE PERIOD OF TIME A PERSON MUST BE TRIED AFTER THE DATE OF HIS ARREST.

H. 4945 -- Reps. Funderburk, Harrison, Brantley, McLeod, Butler Garrick, Munnerlyn, Taylor, J.H. Neal, Dillard, Bannister, G.R. Smith, Bowers, Cobb‑Hunter, Delleney, Hixon, Long, Pope and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑5‑185 SO AS TO AUTHORIZE A PERSON TO REGISTER TO VOTE ELECTRONICALLY ON THE INTERNET WEBSITE OF THE STATE ELECTION COMMISSION, TO PROVIDE A PROCEDURE FOR THIS TYPE OF REGISTRATION AND AUTHORIZE THE STATE ELECTION COMMISSION TO PROMULGATE REGULATIONS TO EFFECTUATE THE PROVISIONS OF THIS ACT.

Senator LEVENTIS asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

H. 4766 -- Reps. Stringer, Weeks and Funderburk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 33 SO AS TO ENACT THE “SOUTH CAROLINA BENEFIT CORPORATION ACT” WHICH PERMITS A CORPORATION TO ELECT AS A CORPORATE PURPOSE THE PROVIDING OF CERTAIN PUBLIC BENEFITS WITHOUT SUBJECTING THE CORPORATION OR ITS DIRECTORS TO LIABILITY OR DERIVATIVE SUIT EXCEPT FOR SPECIFIED REASONS.

Senator SHEHEEN asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

**THIRD READING BILL**

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

S. 1183 -- Senators Setzler, Rose, Land, Anderson, Bryant, Grooms, S. Martin, Knotts, Courson, Bright, Elliott, Peeler, Ryberg, Verdin, Shoopman, Leventis, Sheheen, Massey, Thomas and Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑11‑270 SO AS TO PROVIDE THAT ALL OTHER FUNDS COLLECTED BY AN AGENCY MUST BE DEPOSITED IN THE GENERAL FUND AND MUST BE CONSIDERED GENERAL FUNDS, TO PROVIDE FOR DEFINITIONS, AND TO SPECIFY THE APPLICABILITY OF THIS SECTION.

**S. 1183--Recorded Vote**

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

**READ THE SECOND TIME**

H. 3779 -- Reps. Brady, Loftis, Bingham, Harrell and Hodges: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 44 TO TITLE 11 SO AS TO ENACT THE “BILL WYLIE ENTREPRENEURSHIP ACT OF 2011” BY PROVIDING FOR STATE NONREFUNDABLE INCOME TAX CREDITS ALLOCATED BY THE DEPARTMENT OF COMMERCE FOR QUALIFIED INVESTMENTS IN BUSINESSES MEETING CERTAIN CRITERIA AND PRIMARILY ENGAGED IN MANUFACTURING, PROCESSING, WAREHOUSING, WHOLESALING, SOFTWARE DEVELOPMENT, INFORMATION TECHNOLOGY SERVICES, RESEARCH AND DEVELOPMENT OR OTHER NONPROHIBITED SERVICES, TO ESTABLISH THE CRITERIA AND PROCEDURES FOR THE CREDIT, AND TO MAKE THE CREDIT TRANSFERABLE.

Senator LOURIE asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

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

On motion of Senator LOURIE, with unanimous consent, the Bill was read the second time and ordered placed on the Third Reading Calendar, carrying over all amendments to third reading and waiving the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

**READ THE SECOND TIME**

H. 4824 -- Rep. Rutherford: A JOINT RESOLUTION TO PROVIDE THAT THE DRIVER’S LICENSE OF A PERSON IS REINSTATED ON THIS ACT’S EFFECTIVE DATE IF THE PERSON’S DRIVER’S LICENSE WAS SUSPENDED PURSUANT TO FORMER SECTION 56-1-745 OF THE 1976 CODE DUE TO A CONTROLLED SUBSTANCE VIOLATION AND CHARGE PRIOR TO APRIL 12, 2011, AND A CONVICTION ON OR AFTER APRIL 12, 2011, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST NOT REIMBURSE SUCH PERSON WHOSE DRIVER’S LICENSE SUSPENSION ENDED AND HE PAID A REINSTATEMENT FEE BEFORE THIS ACT’S EFFECTIVE DATE.

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

Senator HUTTO explained the Joint Resolution.

The question then was the second reading of the resolution.

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

**Ayes 37; Nays 2**

**AYES**

Alexander Bryant Campbell

Campsen Cleary Coleman

Courson Davis Fair

Ford Gregory Grooms

Hutto Jackson Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

Bright *Martin, Shane*

**Total--2**

The Joint Resolution was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED**

**AMENDED, READ THE SECOND TIME**

H. 4888 -- Reps. Thayer, Owens, Daning, Brannon, Erickson, Whitmire, Atwater, R.L. Brown, Gambrell, J.M. Neal, Putnam and Willis: A BILL TO AMEND SECTION 38‑73‑470, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSITION OF THE UNINSURED MOTORIST FUND, SO AS TO PROVIDE THAT THE PORTION THAT WAS FORMERLY PAID TO THE DEPARTMENT OF PUBLIC SAFETY MUST BE PAID TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑1‑286, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OR PERMIT TO CERTAIN PERSONS WHO DRIVE A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THE PORTION OF THE FEE TO OBTAIN A TEMPORARY ALCOHOL LICENSE THAT WAS FORMERLY RETAINED BY THE DEPARTMENT OF PUBLIC SAFETY MUST BE DISTRIBUTED TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑3‑3910, RELATING TO THE ISSUANCE OF “SHAG” SPECIAL LICENSE PLATES, SO AS TO REVISE THE BIENNIAL PERIOD IN WHICH THE LICENSE PLATE MUST BE ISSUED OR REVALIDATED; TO AMEND SECTION 56‑3‑5200, RELATING TO “SOUTH CAROLINA: FIRST IN GOLF” SPECIAL LICENSE PLATES, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE WHEN A DRIVER REFUSES TO SUBMIT TO TESTS TO DETERMINE HIS LEVEL OF ALCOHOL CONCENTRATION, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56‑10‑552, RELATING TO THE UNINSURED ENFORCEMENT FUND, SO AS TO PROVIDE THAT THIS FUND WHICH WAS FORMERLY DIRECTED TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY MUST NOW BE DIRECTED TO THE DIRECTOR OF THE DEPARTMENT OF MOTOR VEHICLES AND USED BY THE DEPARTMENT OF MOTOR VEHICLES AND THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 56‑15‑420, RELATING TO THE PROMULGATION OF CERTAIN REGULATIONS BY THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO PROVIDE THAT THESE REGULATIONS NOW WILL BE PROMULGATED BY THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑19‑420, AS AMENDED, RELATING TO CERTAIN FEES FOR SERVICES OFFERED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REVISE THE DISTRIBUTION OF THESE FEES; AND TO REPEAL ARTICLE 60, CHAPTER 3, TITLE 56 RELATING TO THE ISSUANCE OF “SHRINERS” SPECIAL LICENSE PLATES.

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

The Committee on Finance proposed the following amendment (4888R001.JYM), which was adopted:

Amend the bill, as and if amended, page 4, after line 37, by adding an appropriately numbered new SECTION:

/ SECTION \_\_. Section 56‑19‑240 of the 1976 Code, last amended by Act 14 of 2011, is amended to read:

“Section 56‑19‑240. (A) An application for a certificate of title for a vehicle in this State must be made by the owner to the Department of Motor Vehicles on the form it prescribes and must contain or be accompanied by:

(1) if the owner is an individual:

(a) the South Carolina residence address of the owner and mailing address, if different from residence address;

(b) the full legal name as it appears on the identification provided in item (d);

(c) the issuing state and number of the identification provided in item (d);

(d) in order to fulfill the requirements in items (a) through (c), the owner must provide one of the following:

(i) the owner’s South Carolina driver’s license or South Carolina identification card;

(ii) the owner’s home state driver’s license or home state special identification card and valid active duty military identification card if the owner is a person on active military duty and is stationed in this State;

(iii) the owner’s home state driver’s license or home state special identification card and proof of enrollment in a school in this State if the owner is a permanent resident of another state but is currently enrolled in a school in this State; or

(iv) the owner’s home state driver’s license or home state special identification card if the owner or co‑owner intends to principally garage the vehicle in this State. ‘Principally garage’ means the vehicle is garaged for six or more months of the year on property in this State which is owned, leased, or otherwise lawfully occupied by the owner of the vehicle. The application for a certificate of title must include the South Carolina residence address of the property where the vehicle is housed;

(2) if the owner is a business:

(a) a social security number, if the business is a sole proprietorship with no employees or a Federal Employer Identification Number (FEIN), if the business has employees; and

(b) a South Carolina physical address of the bona fide place of business operations for the business unless the owner is a bona fide leasing company;

(3) for vehicles that have more than one owner, only one co‑owner must provide the information required pursuant to items (1) or (2) of this subsection;

(4) an owner who would otherwise be capable of attaining a driver’s license or special identification card from this State, except for a medical or physical condition that can be documented and verified by the department, shall be issued a title and registration if the owner provides a signed affidavit certifying that the owner intends to principally garage the vehicle in this State, that the vehicle will be driven by a driver who is not the owner, and if the owner provides the South Carolina address where the vehicle will be principally garaged;

(5) a description of the vehicle, including, so far as the following data exists, its make, model, year, vehicle identification number, type of body, odometer reading at the time of application, and whether new or used;

(6) the date of acquisition by applicant, the name and address of the person from whom the vehicle was acquired, and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements;

(7) an odometer disclosure statement made by the transferor of the vehicle and acknowledged by the transferee. The statement must be in compliance with federal guidelines and as prescribed by the department. Where more than one transfer has intervened between the previous certificate of title and the application for a new certificate of title, it must be shown that the certificate of title has been signed by the owner or by the owner’s attorney in fact, and there must be for each intervening transfer thereafter a bill of sale in a form approved by the department, including a completed odometer disclosure statement. Additionally, the odometer disclosure statement on the application form must be completed by the applicant;

(8) any further information or documentation the department reasonably requires to enable it to determine: the identity of the vehicle, whether the owner is entitled to a certificate of title, the existence or nonexistence of security interests in the vehicle, and the accuracy of the odometer disclosure statement.

(B) If the application is not for the first certificate of title, it shall be accompanied by the last certificate of title previously issued for the vehicle, whether issued by this State or another state or country.

(C) If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of his security agreement and be signed by the dealer as well as the owner, and the dealer promptly shall mail or deliver the application to the department. If the application refers to a new vehicle purchased from a dealer, the application also shall be accompanied by the manufacturer’s certificate of origin.

(D) The department will issue a title and registration only for vehicles that are physically located and primarily operated in this State. Vehicles that are purchased for primary operation in another state or a foreign jurisdiction cannot be titled and registered in South Carolina.

(E) A person who knowingly gives a false statement on the application or knowingly gives a false statement concerning the odometer reading on an odometer disclosure statement is guilty of a misdemeanor and, upon conviction, is subject to a fine of up to one thousand dollars or imprisonment of up to one year, or both. These penalties are in addition to the penalties provided by the federal odometer law 49 U.S.C. 32701‑32711 (Title 49, Subtitle VI, Part C, Chapter 327).

(F) In addition to the other information required in an application, the application for title for a mobile or manufactured home must include the address of the site on which the home is to be placed if different from the owner’s address.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The committee amendment was adopted.

Senator HUTTO proposed the following amendment (JUD4888.001), which was adopted:

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

/ SECTION \_\_. (A) Notwithstanding the provisions of Act 13 of 2011, the suspension by the Department of Motor Vehicles of a person’s driver’s license who is convicted of a controlled substance violation, pursuant to former Section 56‑1‑745, for which the person was charged before April 12, 2011, and whose conviction or guilty plea or nolo contendere plea was entered on or after April 12, 2011, is reversed, and the person’s driving privilege must be reinstated on this act’s effective date.

(B) The department shall not pay or reimburse a person for a reinstatement fee or other costs or fees incurred by the person as a result of the person’s driver’s license suspension if the suspension was due to being charged with a controlled substance violation before April 12, 2011, the person was convicted on or after April 12, 2011, the suspension ended, and the person paid the reinstatement fee or incurred other costs or fees before this act’s effective date. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator RANKIN proposed the following amendment (4888R003.LAR), which was adopted:

Amend the bill, as and if amended, page 4, line 37 by adding an appropriately numbered new SECTION to read:

/ SECTION \_\_\_. Section 56‑2‑100(A) of the 1976 Code is amended to read:

“(A) A low speed vehicle may be operated only on a ~~secondary~~ highway for which the posted speed limit is thirty‑five miles an hour or less.” /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

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 37; Nays 0; Present 1**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Davis

Fair Gregory Hutto

Jackson Knotts Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

**Total--0**

**PRESENT**

*Martin, Shane*

**Total--1**

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**READ THE SECOND TIME**

H. 3918 -- Rep. White: A BILL TO AMEND CHAPTER 1, TITLE 55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE DIVISION OF AERONAUTICS WITHIN THE DEPARTMENT OF COMMERCE, SO AS TO MOVE THE FUNCTIONS, DUTIES, AND RESPONSIBILITIES OF THE DIVISION OF AERONAUTICS TO THE DEPARTMENT OF TRANSPORTATION, TO REVISE CERTAIN PROVISIONS RELATING TO THE OPERATION OF INTRASTATE SCHEDULED AIRLINE SERVICE, COUNTY AVIATION COMMISSIONS, THE USE OF STATE‑OWNED AIRCRAFT, AND THE USE OF ALCOHOLIC BEVERAGES BY FLIGHT CREW MEMBERS, TO MAKE TECHNICAL CHANGES, AND TO REVISE CERTAIN PENALTIES; TO AMEND CHAPTER 3, TITLE 55, RELATING TO THE UNIFORM STATE LAWS FOR AERONAUTICS, SO AS TO MAKE TECHNICAL CHANGES, REVISE CERTAIN PROVISIONS RELATING TO THE DEFINITION OF VARIOUS FORMS OF AIRCRAFT, THE OWNERSHIP OF AIRSPACE, THE LANDING OF AN AIRCRAFT ON LANDS OR WATERS, TO PROVIDE THAT IT IS ILLEGAL TO POINT, AIM, OR DISCHARGE A LASER DEVICE AT CERTAIN AIRCRAFT, AND PROVIDE PENALTIES; TO AMEND CHAPTER 5, TITLE 55, RELATING TO THE UNIFORM STATE AERONAUTICAL REGULATORY LAW, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT CONTAINS VARIOUS TERMS AND THEIR DEFINITIONS, TO DELETE THE PROVISION THAT REQUIRES THE STATE BUDGET AND CONTROL BOARD TO PROVIDE OFFICES FOR THE DIVISION OF AERONAUTICS, TO REVISE THE DIVISION’S RESPONSIBILITIES RELATING TO ITS REGULATION OF CERTAIN AIR NAVIGATION AND AIRPORT FACILITIES, THE CONSTRUCTION OF AIRPORTS, THE REPORTS IT FILES WITH THE FEDERAL AVIATION ADMINISTRATION, AND THE OPERATION OF THE DIVISION, TO PROVIDE PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS CHAPTER, AND TO REVISE PROVISIONS RELATING TO THE USE OF MONIES CONTAINED IN THE STATE AVIATION FUND; TO AMEND CHAPTER 9, TITLE 55, RELATING TO THE UNIFORM SOUTH CAROLINA AIRPORTS ACT, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS CHAPTER ALSO APPLIES TO COUNTIES, AIRPORT COMMISSIONS, AND SPECIAL PURPOSE DISTRICTS, TO DELETE OBSOLETE TERMS, TO REVISE THE PROJECTS THAT MAY BE FUNDED FROM MONIES CONTAINED IN AIRPORT FACILITIES ACCOUNTS, AND TO PROVIDE FOR THE TERM “AIRPORT HAZARD” AND TO PROVIDE ITS DEFINITION AND THE REGULATION OF AN AIRPORT HAZARD; TO AMEND CHAPTER 11, TITLE 55, RELATING TO THE CREATION AND OPERATION OF CERTAIN AIRPORTS WITHIN THE STATE, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE CERTAIN OBSOLETE TERMS, TO REVISE THE PROCESS FOR THE MAKING OF CERTAIN CONTRACTS FOR THE CONSTRUCTION, ERECTION, MAINTENANCE, AND REPAIR OF CERTAIN AIRPORT FACILITIES TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN AIRPORT FACILITIES, TO REVISE CERTAIN PENALTIES, TO REVISE THE DEFINITION OF A QUORUM FOR A CERTAIN AIRPORT COMMISSION, TO EXPAND THE AUTHORITY OF CERTAIN AIRPORT COMMISSIONS TO ADOPT RULES AND PROMULGATE REGULATIONS, TO PROVIDE THAT IT IS UNLAWFUL TO ENGAGE IN CERTAIN ACTIVITIES UPON CERTAIN AIRPORT PROPERTY, TO DELETE THE TERM “SECRETARY” AND ITS DEFINITION, AND REPLACE IT WITH THE TERM “EXECUTIVE DIRECTOR” AND ITS DEFINITION AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 13, TITLE 55, RELATING TO THE PROTECTION OF AIRPORTS AND AIRPORT PROPERTY, SO AS TO PROVIDE THAT THE DIVISION OF AERONAUTICS SHALL CREATE MAPS OF THE STATE’S PUBLIC USE AIRPORTS AND DISTRIBUTE THEM TO VARIOUS LOCAL GOVERNMENTAL AGENCIES FOR VARIOUS PURPOSES, AND TO DEFINE THE TERM “AIRPORT SAFETY ZONES”, TO PROVIDE THAT POLITICAL SUBDIVISIONS MAY ASSIST WITH THE PROTECTION OF AREAS THAT POSE HAZARDS TO AIR TRAFFIC, AND TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS CHAPTER; TO AMEND CHAPTER 15, TITLE 55, RELATING TO RELOCATION ASSISTANCE, SO AS TO DELETE THE TERM “DEPARTMENT OF COMMERCE” AND REPLACE IT WITH THE TERM “DEPARTMENT OF TRANSPORTATION”, AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 17, TITLE 55, RELATING TO REGIONAL AIRPORT DISTRICTS, SO AS TO REVISE THE PROVISION THAT REVISES THE TYPE OF AIR CARRIERS REGULATED BY THIS CHAPTER, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 13‑1‑20, RELATING TO CERTAIN RESPONSIBILITIES OF THE DEPARTMENT OF COMMERCE, SO AS TO DELETE ITS RESPONSIBILITY TO DEVELOP STATE PUBLIC AIRPORTS AND AN AIR TRANSPORTATION SYSTEM; TO AMEND SECTION 13‑1‑30, AS AMENDED, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF COMMERCE, SO AS TO REVISE THE PROVISIONS RELATING TO THE DIVISION OF AERONAUTICS; TO AMEND SECTION 13‑1‑1000, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM “DEPARTMENT”; TO AMEND SECTION 13‑1‑1010, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT IT IS NO LONGER A DIVISION OF THE DEPARTMENT OF COMMERCE, BUT A DIVISION OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTIONS 57‑1‑20, 57‑1‑30, AND 57‑1‑450, ALL AS AMENDED, RELATING TO THE DUTIES, FUNCTIONS, AND RESPONSIBILITIES OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT IT SHALL HAVE A DIVISION OF AERONAUTICS, OVERSEE THE SAFETY AND DEVELOPMENT OF THE STATE’S PUBLIC USE AIRPORTS, PROVIDE SAFE RELIABLE AIR TRANSPORTATION FOR STATE GOVERNMENT AND BUSINESS PROSPECTS, AND PROVIDE THAT ITS DIRECTOR MUST BE APPOINTED BY THE GOVERNOR; AND TO REPEAL CHAPTER 8, TITLE 55, RELATING TO THE UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT.

Senator LEVENTIS asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

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

**Amendment No. P2**

Senators GROOMS and LEATHERMAN proposed the following amendment (3918R004.LKG), which was adopted:

Amend the committee amendment, as and if amended, page [3918-3] by striking lines 11-41 and inserting:

/ Section 55‑5‑280. (A)(1) All monies received from licensing of airports, landing fields, or ~~air schools,~~ funds appropriated for aviation grants, the tax on aviation ~~gasoline~~ fuel, and fees for other licenses issued under this chapter must be paid into the State Treasury and credited to the fund known as the ‘State Aviation Fund’.

(2) The fund also may receive gifts, grants, and federal funds and shall include earnings from investments of monies from the fund.

(3) A fund balance at the close of the fiscal year shall not lapse but must be carried forward to the next fiscal year.

(4) The revenue credited to the State Aviation Fund pursuant to this subsection must be used solely as provided in subsection (C).

(B) In any fiscal year in which the tax levied by the State pursuant to Section 12‑37‑2410, et seq. exceeds five million dollars, the revenues in excess of five million dollars must be directed to the State Aviation Fund; however, any revenue in excess of ten million dollars must be credited in equal amounts to the General Fund and the State Aviation Fund.

(C) The State Aviation Fund must be used solely for:

(1) maintenance and repairs of the division’s aircraft; or

(2) maintenance, rehabilitation, and capital improvements to public use airports, which may include use as matching funds for FAA Airport Improvement Grants, provided that those airports receiving grants meet the requirements set forth by the division.

(3) The State Aviation Fund must not be used for operating expenses of the division. /

Amend the committee amendment further, as and if amended, page [3918-4], by striking lines 6-8 and inserting:

/ Section 55‑5‑290. ~~Any moneys or fees coming into the hands of the division may be used for the necessary expenses of the division essential to the carrying out of this chapter but no overdraft shall be created by reason of any such expenditures.~~ Reserved ” /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The Committee on Transportation proposed the following amendment (3918R002.GEC), which was adopted:

Amend the bill, as and if amended, page 7, by striking lines 39-43 and inserting:

/ Section 55‑1‑50. It ~~shall be~~ is unlawful for ~~any~~ a person to land or cause to be landed any aircraft on or take off from a public highway in this State except in situations authorized by ~~the deputy director of the division~~ an authorized employee of the division, by law enforcement, or in an emergency or cautionary situation in which the /

Amend the bill further, as and if amended, page 10, striking lines 6-10 and inserting:

/ (B) ~~Any~~ A person who operates or acts as a ~~flightcrew~~ flight crew member of ~~any~~ an aircraft in this State ~~is considered to have given~~ may consent to a chemical test of his breath for the purpose of determining the alcoholic content of his blood if /

Amend the bill further, as and if amended, page 14, by striking lines 12 - 31 and inserting:

/ Section 55‑3‑60. The owner of ~~every~~ an aircraft ~~which is~~ operated over the land or waters of this State is absolutely liable for ~~injuries~~ injury to persons or property on the land or water beneath the aircraft which is caused by ascent, descent or flight of the aircraft or the dropping or falling of ~~any~~ an object ~~therefrom~~ from an aircraft, whether ~~such~~ the owner was negligent or not, unless the injury is caused in whole or in part by the negligence of the person injured or of the owner or bailee of the property injured. If the aircraft is leased at the time of the injury to person or property both owner and lessee ~~shall be~~ is liable and they may be sued jointly or either or both of them may be sued separately. An ~~aeronaut~~ airman who is not the owner or lessee ~~shall be~~ is liable only for the consequences of his ~~own~~ negligence. The injured person or owner or bailee of the injured property shall have a lien next in priority to the lien for State and county taxes on the aircraft causing the injury to the extent of the damage caused by the aircraft or an object falling from it. A chattel mortgagee, conditional vendor or trustee under an equipment trust of ~~any~~ an aircraft out of possession shall not be ~~deemed~~ considered an owner or lessee within the provisions of this section. This section shall not apply to damage to airport property that is neither malicious nor intentional, nor shall this section apply to damage to crushable materials, collapsible structures, or aircraft arresting systems that are designed to deform when used. /

Amend the bill further, as and if amended, page 20, by striking lines 19-23 and inserting:

/ ~~Section 55‑5‑75.~~  ~~From information obtained from the Federal Aviation Administration, the division quarterly shall furnish the respective county auditors of this State with a list of all aircraft registered in their county according to the records of the Federal Aviation Administration.~~ /

Amend the bill further, as and if amended, page 22, by striking lines 1-9 and inserting:

/ (1) a violation of this title or a violation of a federal, state, or local law, ordinance, regulation, or federally approved airport design criteria that relates to aviation safety has occurred;

(2) a condition exists that interferes with, or has a reasonable potential in the judgment of the division to interfere with aircraft operations;

(3) a condition poses an increased risk to aviation safety;

(4) the persistence of a condition would cause aircraft takeoff, landing, or approach criteria to be adversely impacted; or

(5) a condition exists that would constitute a nuisance to aircraft operation. These conditions may include, but are not limited to: /

Amend the bill further, as and if amended, page 22, by striking lines 38-41 and inserting:

/ (O) The division and an affected local government shall have the ability to seek cost recovery for the actual costs in the removal or abatement of the hazard against the persons responsible for creating or maintaining an airport hazard that violates this section, or violates a federal, state, or local law, ordinance, regulation, or federally approved airport design criteria. /

Amend the bill further, as and if amended, page 29, by striking lines 7-32 and inserting:

/ Section 55‑5‑280. (A) All monies received from licensing of airports, landing fields, or ~~air schools,~~ funds appropriated for aviation grants, the tax on aviation ~~gasoline~~ fuel, and fees for other licenses issued under this chapter must be paid into the State Treasury and credited to the fund known as the ‘State Aviation Fund’.

(B) In any fiscal year in which the tax levied by the State pursuant to Section 12‑37‑2410, et seq. exceeds five million dollars, the revenues in excess of five million dollars must be directed to the State Aviation Fund to be used solely for airport improvement and maintenance projects and shall not be used for operating expenses of the Division; however, any revenue in excess of ten million dollars must be credited in equal amounts to the general fund and the State Aviation Fund. The revenue credited to the State Aviation Fund in excess of ten million dollars must also be used solely for airport improvement and maintenance projects and shall not be used for operating expenses of the Division.

(C) Except as provided in Section 55-5-290, the State Aviation Fund must be used for the purpose of capital improvements and maintenance to public use airports, which may include use as matching funds for FAA Airport Improvement Grants, so long as those airports meet the requirements set forth by the division. In addition, the fund also may receive State appropriations, gifts, grants, and federal funds and shall include earnings from investments of monies from the fund. A fund balance at the close of the fiscal year shall not lapse but must be carried forward to the next fiscal year. The division shall use monies deposited in the fund or accruing to the fund for the development, rehabilitation, and maintenance of publicly owned or operated airports, as allowed in this chapter.

(D) The division may promulgate regulations governing the eligibility requirements and procedures for disbursements from the State Aviation Fund. /

Amend the bill further, as and if amended, page 29, by striking line 34 and inserting:

/ Section 55‑5‑290. Except funds directed to the State Aviation Fund pursuant to Section 55-5-280(B), ~~Any~~ any ~~moneys~~ monies or fees coming into the /

Amend the bill further, as and if amended, page 34, by striking lines 20-28 and inserting:

/ Section 55‑9‑270. When an airport hazard area appertaining to an airport owned or controlled by a county, municipality, or political subdivision is located outside the territorial limits of the political subdivision, the political subdivision owning or controlling the airport, and the county, municipality, or political subdivision within which the airport hazard area is located, may by ordinance adopt, administer, and enforce airport zoning regulations applicable to the airport safety zones, airport land use zones, and airport hazards. /

Amend the bill further, as and if amended, page 36, by striking line 7-8 and inserting:

/ regulations adopted under this chapter, may apply to the board of zoning appeals or joint board of appeals for a variance from the zoning regulations. The /

Amend the bill further, as and if amended, page 41, by striking lines 3-7 and inserting:

/ (14) Make contracts for the construction, erection, maintenance and repair of the facilities in its charge, in accordance with the State Procurement Code, Chapter 35, Title 11 ~~by competitive bidding if such contracts are in excess of ten thousand dollars. If the contracts are less than ten thousand dollars, then the Commission may make such contracts without competitive bids~~. /

Amend the bill further, as and if amended, page 56, by striking lines 2-4 and inserting:

/ ~~without competitive bids~~ according to the provisions of the State Procurement Code, Chapter 35, Title 11. /

Amend the bill further, as and if amended, page 78, by striking line 12 and inserting:

/ from the ~~base or airfield and (b)~~ airport. Counties or /

Amend the bill further, as and if amended, page 78, by striking line 32 and inserting:

/ Section 55‑13‑30. ~~After they become effective, it~~ It shall be /

Amend the bill further, as and if amended, page 80, by striking lines 9-10 and inserting:

/ Aeronautics of the ~~Department of Commerce~~ Budget and Control Board, a municipality, a county or other political subdivision of /

Amend the bill further, as and if amended, page 91, striking lines 33-34 and inserting:

/ Section 55‑17‑30. If the provisions contained in the ~~proviso set out in the~~ first paragraph of Section 55‑17‑20 relating to legislative /

Amend the bill further, as and if amended, page 92, by striking SECTIONS 12 and 13 and inserting:

/ SECTION 12. Section 13-1-1000(1) of the 1976 Code is amended to read:

“Section 13-1-1000. Notwithstanding any other provision of law, the following terms, when used in this article, have the following meanings unless the context clearly requires otherwise:

(1) ~~‘Department’~~ ‘Board’ means the ~~Department of Commerce~~ Budget and Control Board.”

SECTION 13. Section 13-1-1010 of the 1976 Code is amended to read:

“Section 13-1-1010. Notwithstanding any other provision of law, the Aeronautics Commission is hereby created within the ~~Department of Commerce~~ Budget and Control Board, to assist the ~~Secretary of Commerce~~ board, or the board’s successor entity, in the operation of and to oversee the Division of Aeronautics. ~~and there~~ There may be no purchase or sale of any aeronautics assets without the approval of the commission and the ~~Secretary of Commerce~~ board, or the board’s successor entity.”

SECTION 14. Chapter 8, Title 55 of the 1976 Code is repealed.

SECTION 15. A. The Aeronautics Commission, and the commission’s functions, powers, duties, and responsibilities transferred to the Budget and Control Board, or its successor entity, by this act must be maintained as a distinct component, function, power, duty, or responsibility of the Budget and Control Board, or its successor entity. Any funds appropriated to the commission must not be transferred to another component of the Budget and Control Board, or its successor entity. Any funds appropriated for a distinct function, power, duty, or responsibility of the commission must be exercised by the commission.

B. Regulations promulgated by this commission as it formerly existed under the Department of Commerce are continued and are considered to be promulgated by this commission under the Budget and Control Board, or its successor entity.

C. The Aeronautics Commission shall use its existing resources that are transferred to the Budget and Control Board, or its successor entity, including, but not limited to, funding, personnel, equipment, and supplies.

D. Any reference to the Budget and Control Board shall mean the Budget and Control Board or its successor entity.

SECTION 16. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 17. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 18. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

The committee amendment was adopted.

The question then was the second reading of the Bill.

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

**Ayes 38; Nays 1**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Davis

Fair Gregory Grooms

Hutto Jackson Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

Massey

**Total--1**

The Bill was read the second time, passed and ordered to a third reading.

**AMENDED, READ THE SECOND TIME**

H. 4738 -- Reps. Govan and Hearn: A BILL TO AMEND SECTION 20‑3‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY IN DIVORCE AND SEPARATE MAINTENANCE AND SUPPORT ACTIONS, SO AS TO PROVIDE THAT ALIMONY IS TERMINABLE ON “COHABITATION”, RATHER THAN ON “CONTINUED COHABITATION” OF THE SUPPORTED SPOUSE; TO DEFINE “COHABITATION” AS A COMMITTED, EXCLUSIVE RELATIONSHIP FOR AN AGGREGATE OF NINETY DAYS; AND TO PROVIDE FACTORS THAT THE COURT MAY CONSIDER IN DETERMINING WHETHER COHABITATION EXISTS; TO AMEND SECTION 20‑3‑150, AS AMENDED, RELATING TO ALLOCATING ALIMONY TO THE SUPPORTED SPOUSE AND CHILD SUPPORT TO THE CHILDREN SUCH THAT ONLY ALIMONY IS TERMINATED UPON REMARRIAGE OR CONTINUED COHABITATION OF THE SUPPORTED SPOUSE, SO AS TO PROVIDE THAT ALIMONY IS TERMINABLE ON “COHABITATION”, RATHER THAN ON “CONTINUED COHABITATION” OF THE SUPPORTED SPOUSE; TO DEFINE “COHABITATION” AS A COMMITTED, EXCLUSIVE RELATIONSHIP FOR AN AGGREGATE OF NINETY DAYS; AND TO PROVIDE FACTORS THAT THE COURT MAY CONSIDER IN DETERMINING WHETHER COHABITATION EXISTS; AND TO AMEND SECTION 20‑3‑170, RELATING TO THE MODIFICATION, CONFIRMATION, OR TERMINATION OF ALIMONY, SO AS TO PROVIDE THAT UPON THE MOTION OF A PARTY TO A JUDGMENT OF DIVORCE, THE COURT SHALL CONDUCT A HEARING TO DETERMINE IF THE RETIREMENT OF THE SUPPORTING SPOUSE CONSTITUTES A CHANGE OF CIRCUMSTANCES FOR THE PURPOSE OF ALIMONY PAYMENTS AND TO PROVIDE FACTORS FOR THE COURT TO CONSIDER IN MAKING THIS DETERMINATION.

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

Senator SHEHEEN proposed the following amendment (JUD4738.001), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

The question then was the second reading of the Bill.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Cromer Davis

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 4008 -- Reps. Harrison, H.B. Brown, G.R. Smith, Knight, Atwater, Branham, Viers, Bannister, Dillard, Erickson, Hamilton, Hearn, Hosey, Limehouse, D.C. Moss, Patrick, Pinson, Sandifer, G.M. Smith, J.R. Smith, Stringer, Toole, Willis, Bingham and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑7‑390 SO AS TO PROVIDE THAT THERE IS NO MONETARY LIABILITY, AND NO CAUSE OF ACTION IS CREATED, BY A HOSPITAL UNDERTAKING OR PERFORMING CERTAIN ACTS IF NOT DONE WITH MALICE; BY ADDING SECTION 44‑7‑392 SO AS TO PROVIDE THAT CERTAIN HOSPITAL PROCEEDINGS AND DATA, DOCUMENTS, RECORDS, AND INFORMATION RESULTING FROM THESE PROCEEDINGS ARE CONFIDENTIAL AND NOT SUBJECT TO DISCOVERY OR SUBPOENA AND MAY NOT BE USED AS EVIDENCE IN A CIVIL ACTION UNLESS THE HOSPITAL HAS WAIVED CONFIDENTIALITY OR THE DATA, DOCUMENTS, RECORDS, OR INFORMATION ARE OTHERWISE AVAILABLE AND SUBJECT TO DISCOVERY; TO PROVIDE THAT THE OUTCOME OF A PRACTITIONER’S APPLICATION FOR HOSPITAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES IS NOT CONFIDENTIAL BUT THAT THE APPLICATION AND SUPPORTING DOCUMENTS ARE CONFIDENTIAL; TO PROVIDE THAT DISCLOSURE OF CERTAIN INFORMATION BY A HOSPITAL THROUGH REPORTS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE JOINT COMMISSION, OR THE BOARD OF MEDICAL EXAMINERS IS NOT A WAIVER OF ANY PRIVILEGE OR CONFIDENTIALITY; AND TO PROVIDE THAT AN AFFECTED PERSON MAY FILE AN ACTION TO ASSERT A CLAIM OF CONFIDENTIALITY AND TO ENJOIN THE HOSPITAL, THE JOINT COMMISSION, OR THE BOARD OF MEDICAL EXAMINERS FROM RELEASING SUCH INFORMATION, AND IF THE COURT FINDS THAT THE PERSON ACTED UNREASONABLY IN ASSERTING THIS CLAIM, THE COURT SHALL ASSESS ATTORNEY’S FEES AGAINST THAT PERSON; BY ADDING SECTION 44‑7‑394 SO AS TO PROVIDE THAT IF IN A JUDICIAL PROCEEDING THE COURT FINDS DOCUMENTS, OVER WHICH THE HOSPITAL ASSERTED A CLAIM OF CONFIDENTIALITY, ARE NOT SUBJECT TO CONFIDENTIALITY AND THAT THE HOSPITAL ACTED UNREASONABLY IN ASSERTING THIS CLAIM, THE COURT SHALL ASSESS ATTORNEY’S FEES AGAINST THE HOSPITAL FOR COSTS INCURRED BY THE REQUESTING PARTY TO OBTAIN THE DOCUMENTS; AND TO AMEND SECTION 40‑71‑10, RELATING TO THE EXEMPTION FROM TORT LIABILITY FOR MEMBERS OF CERTAIN PROFESSIONAL COMMITTEES, SO AS TO DELETE FROM THE EXEMPTION AN APPOINTED MEMBER OF A COMMITTEE OF A MEDICAL STAFF OF A HOSPITAL IF THE STAFF OPERATES PURSUANT TO WRITTEN BYLAWS APPROVED BY THE GOVERNING BOARD OF THE HOSPITAL.

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

The Committee on Medical Affairs proposed the following amendment (H-4008), which was adopted:

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

/ SECTION 1. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Section 44‑7‑390. There is no monetary liability on the part of, and no cause of action for damages arising against, a hospital licensed under this article, its parent, subsidiaries, health care system, physician practices owned by the hospital (its parent or subsidiaries), directors, officers, agents, employees, medical staff members, external reviewers, witnesses, or a member of any committee of a licensed hospital, whether permanent or ad hoc, including the hospital’s governing body, for any act or proceeding undertaken or performed without malice, made after reasonable effort to obtain the facts, and the action taken was in the belief that it is warranted by the facts known, arising out of or relating to:

(1) sentinel event investigations or root cause analyses, or both, as prescribed by the joint commission or any other organization under whose accreditation a hospital is deemed to meet the Centers for Medicare and Medicaid Services’ conditions of participation;

(2) investigations into the competence or conduct of hospital employees, agents, members of the hospital’s medical staff or other practitioners, relating to the quality of patient care, and any disciplinary proceedings or fair hearings related thereto, provided the medical staff operates pursuant to written bylaws that have been approved by the governing body of the hospital;

(3) quality assurance reviews;

(4) the medical staff credentialing process, provided the medical staff operates pursuant to written bylaws that have been approved by the governing body of the hospital;

(5) reports by a hospital to its insurance carriers;

(6) reviews or investigations to evaluate the quality of care provided by hospital employees, agents, members of the hospital’s medical staff, or other practitioners; or

(7) reports or statements, including, but not limited to, those reports or statements to the National Practitioner Data Bank and the South Carolina Board of Medical Examiners, that provide analysis or opinion (including external reviews) relating to the quality of care provided by hospital employees, agents, members of the hospital’s medical staff, or other practitioners.

Section 44‑7‑392. (A)(1) All proceedings of, and all data, documents, records, and information prepared or acquired by, a hospital licensed under this article, its parent, subsidiaries, health care system, committees, whether permanent or ad hoc, including the hospital’s governing body, or physician practices owned by the hospital (its parent or subsidiaries), relating to the following are confidential:

(a) sentinel event investigations or root cause analyses, or both, as prescribed by the joint commission or any other organization under whose accreditation a hospital is deemed to meet the Centers for Medicare and Medicaid Services’ conditions of participation;

(b) investigations into the competence or conduct of hospital employees, agents, members of the hospital’s medical staff or other practitioners, relating to the quality of patient care, and any disciplinary proceedings or fair hearings related thereto;

(c) quality assurance reviews;

(d) the medical staff credentialing process;

(e) reports by a hospital to its insurance carriers;

(f) reviews or investigations to evaluate the quality of care provided by hospital employees, agents, members of the hospital’s medical staff, or other practitioners; or

(g) reports or statements, including, but not limited to, those reports or statements to the National Practitioner Data Bank and the South Carolina Board of Medical Examiners, that provide analysis or opinion (including external reviews) relating to the quality of care provided by hospital employees, agents, members of the hospital’s medical staff, or other practitioners; or

(h) incident or occurrence reports and related investigations, unless the report is part of the medical record.

(2) The proceedings and data, documents, records, and information described in subsection (A)(1) may be shared with a parent corporation, subsidiaries, other hospitals in the health care system, directors, officers, employees, and agents of the hospital and if shared, remain confidential. These proceedings and data, documents, records, and information in subsection (A)(1) are not subject to discovery, subpoena, or introduction into evidence in any civil action unless the hospital and any affected person who is a party to such action waives the confidentiality in writing. Notwithstanding the foregoing, however, in the event an affected person asserts a claim in any civil action against a hospital, its parent, affiliates, directors, officers, agents, employees, or member of any committee of a licensed hospital, relating to any proceeding identified in subsection (A)(1), the hospital may, without consultation with the affected person, waive confidentiality in that civil action. Likewise, if a hospital asserts a claim in any civil action against an affected person relating to any proceeding identified in subsection (A)(1) in which the affected person was a party, the affected person may use information in the affected person’s possession that is otherwise confidential under this section in that civil action.

(3) Data, documents, records, or information which are otherwise available from original sources are not confidential and are not immune from discovery from the original source under this section or use in a civil action merely because they were acquired by the hospital.

(4) This subsection does not make confidential the outcome of a practitioner’s application for medical staff membership or clinical privileges, nor does it make confidential the list of clinical privileges requested by the practitioner or the list of clinical privileges that were approved. However, the practitioner’s application for medical staff membership or clinical privileges, and all supporting documentation submitted or requested for the application are confidential. Nevertheless, the application itself may be obtained from the physician requesting privileges or the practice where the physician works as an employee or an independent contractor.

(5) If a practitioner is the subject of a disciplinary proceeding or fair hearing, this subsection does not, subject to the provisions of the medical staff bylaws, prohibit the practitioner from receiving data, documents, records, and information relating to this practitioner that is relevant to the proceeding or fair hearing, even if the data, documents, records, and information are otherwise confidential under this section. Such a disclosure to a practitioner in a disciplinary proceeding or fair hearing must not be considered a waiver of any privilege or confidentiality provided for in subsection (A)(1). The practitioner must not, however, without the written consent of the hospital, publish to any third party, other than legal counsel or a person retained for the purposes of representing the practitioner in a disciplinary proceeding or fair hearing, the data, documents, records, or information that were disclosed to him as part of the disciplinary proceeding or fair hearing.

(6) There is nothing in this section which makes any part of a patient’s medical record confidential from the patient, including any redactions, corrections, supplements, or amendments to the patient’s record, whether electronic or written.

(B) The confidentiality provisions of subsection (A) do not prevent committees appointed by the Department of Health and Environmental Control from issuing reports containing solely non-identifying data and information.

(C) Nothing in this section affects the duty of a hospital licensed by the Department of Health and Environmental Control to report accidents or incidents pursuant to the department’s regulations. However, anything reported pursuant to the department’s regulations must not be considered a waiver of any privilege or confidentiality provided in subsection (A).

(D) Any data, documents, records or information that is reported to or reviewed by the joint commission or other accrediting bodies must not be considered a waiver of any privilege or confidentiality provided for in subsection (A).

(E) Any data, documents, records, or information of an action by a hospital to suspend, revoke, or otherwise limit the medical staff membership or clinical privileges of a practitioner that is submitted to the South Carolina Board of Medical Examiners pursuant to a report required by Section 44‑7‑70 or the National Practitioner Data Bank must not be considered a waiver of any privilege or confidentiality provided for in subsection (A).

(F) An affected person may file a civil action to assert a claim of confidentiality before a court of competent jurisdiction and file a motion to request the court to issue an order to enjoin a hospital from releasing data, documents, records, or information to the department, the South Carolina Board of Medical Examiners, the National Practitioner Data Bank, and the joint commission or other accrediting bodies that are not required by law or regulation to be released by a hospital. The data, documents, records, or information in controversy must be filed under seal with the court having jurisdiction over the pending action and are subject to judicial review. If court finds that a party acted unreasonably in unsuccessfully asserting the claim of confidentiality under this subsection, the court shall assess attorney’s fees against that party.

(G) For purposes of this section, an ‘affected person’ means a person, other than a patient, who is a subject of a proceeding enumerated in subsection (A)(1).

Section 44‑7‑394. (A) If a hospital or affected person asserts a claim of confidentiality over documents pursuant to Section 44‑7‑392 and the party seeking the documents objects, then upon motion to the court having jurisdiction over the pending action the court shall review the documents under seal to determine if any of the documents are subject to discovery. The court may order production of the documents to the requesting party. If the court finds that a hospital or affected person acted unreasonably in unsuccessfully asserting the claim of confidentiality, the court may assess attorney’s fees against that party for any fees incurred by the requesting party in obtaining the documents.

Further, a party to a medical or hospital malpractice case shall not offer testimony of a person who was a witness to the medical or hospital care that is the subject of the medical or hospital malpractice case if their testimony would be inconsistent with a prior written, electronic, video, or audio statement of fact submitted by the person and that is confidential under Section 44-7-392 unless such prior inconsistent statement of fact is first produced to all parties in the medical or hospital malpractice case. Upon request by a party, a privilege log shall be provided by a hospital to all parties in the medical or hospital malpractice case identifying any prior written, electronic, video, or audio statements of fact relating to the medical or hospital care that is the subject of the medical or hospital malpractice case that were given by a witness who is identified in discovery and may testify at trial. Upon motion of any party, a prior statement of fact, whether written, electronic, video, or audio, that is confidential under Section 44-7-392, may be reviewed by the court in camera to determine whether the prior statement of fact is inconsistent with the trial testimony offered in the medical or hospital malpractice case. If the court concludes that the prior statement of fact is inconsistent, the court shall order that the prior written statement of fact be produced to the moving party.

(B) For purposes of this section an ‘affected person’ means a person, other than a patient, who is a subject of a proceeding enumerated in Section 44‑7‑392(A)(1).

(C) If the court orders a hospital or affected person to produce documents to a third party under this section, the hospital or affected person shall have the right to immediately appeal that order, and the filing of the appeal shall stay the enforcement of the order compelling the production.”

SECTION 2. Section 40‑71‑10(B) of the 1976 Code is amended to read:

“(B) There is no monetary liability on the part of, and no cause of action for damages arising against, a member of an appointed committee which is formed to maintain professional standards of a state or local professional society as defined in this section or ~~an appointed member of a committee of a medical staff of a licensed hospital, provided the medical staff operates pursuant to written bylaws that have been approved by the governing board of the hospital, or~~ a committee appointed by the Department of Mental Health, or a committee appointed by the Department of Health and Environmental Control to review patient medical and health records in order to study the causes of death and disease for any act or proceeding undertaken or performed within the scope of the functions of the committee if the committee member acts without malice, has made a reasonable effort to obtain the facts relating to the matter under consideration, and acts in the belief that the action taken by him is warranted by the facts known to him.”

SECTION 3. This act takes effect upon approval by the Governor and applies to any investigative action undertaken as provided herein where the underlying event giving rise to the investigation occurs on or after the effective date. /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the committee amendment.

The committee amendment was adopted.

Senator CLEARY asked unanimous consent to make a motion to carry over all amendment to third reading and waive the provisions of Rule 26B.

There was no objection.

The question then was the second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--42**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**AMENDED, READ THE SECOND TIME**

H. 4497 -- Reps. Sellers, Johnson, Brady, Gilliard, Jefferson and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑187 SO AS TO ENACT THE “CERVICAL CANCER PREVENTION ACT”; TO PROVIDE THAT BEGINNING WITH THE 2012‑2013 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL OFFER AS AN OPTION THE CERVICAL CANCER VACCINE SERIES TO FEMALE STUDENTS ENROLLING IN THE SEVENTH GRADE; TO PROVIDE THE STUDENT MAY ONLY RECEIVE THESE VACCINATIONS AT THE OPTION OF THE PARENT OR GUARDIAN OF THE CHILD; TO PROVIDE A PROCEDURE THROUGH WHICH A PARENT OR GUARDIAN MAY EXERCISE THE OPTION FOR THEIR CHILD TO RECEIVE THESE VACCINATIONS; TO REQUIRE A RELATED EDUCATION PROGRAM; AND TO PROVIDE THAT IMPLEMENTATION OF THIS SECTION IS CONTINGENT UPON STATE AND FEDERAL FUNDING.

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

Senator BRYANT proposed the following amendment (H-4497), which was adopted:

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

/ SECTION 1. This act may be cited as the “Cervical Cancer Prevention Act”.

SECTION 2. Chapter 29, Title 44 of the 1976 Code is amended by adding:

“Section 44‑29‑187. (A) Beginning with the 2012‑2013 school year, the Department of Health and Environmental Control may offer the cervical cancer vaccination for adolescent students enrolling in the seventh grade in any school, public or private, in this State. No student is required to have the cervical cancer series before enrolling or attending school.

(B)(1) The department may develop and provide to each school whose grade levels include grade six informational brochures concerning adolescent vaccinations, including the cervical cancer vaccination series. The information may also specifically mention the optional nature of the cancer vaccination series and shall encourage the parent or guardian of a student to take the child to their own health care provider to be vaccinated.

(2) At the beginning of the school year each school district may provide these informational brochures to the parents or guardians of all students in the sixth grade.

(C) For the purposes of this section ‘cervical cancer vaccination series’ means the human papillomavirus vaccination series.

(D) Implementation of this section is contingent upon the appropriation of state and federal funding to the department to fully cover the costs of providing this vaccine to eligible students as well as the availability of funds to produce the informational materials referenced in this section.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CLEARY explained the amendment.

The amendment was adopted.

The question then was the second reading of the Bill.

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

**Ayes 40; Nays 2**

**AYES**

Alexander Bryant Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Rankin Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

Bright *Martin, Shane*

**Total--2**

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3127 -- Reps. Rutherford, G.R. Smith, Clyburn, Weeks, Whipper and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑21‑925 SO AS TO PROVIDE THAT A LIMITED PARDON MAY BE GRANTED TO A PERSON WHO HAS BEEN CONVICTED OF A NONVIOLENT FELONY OFFENSE THAT WOULD ALLOW HIM TO CARRY A FIREARM USED FOR HUNTING TO AND FROM HIS HUNTING DESTINATION AND USE IT WHILE HUNTING.

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

The Judiciary Committee proposed the following amendment (JUD3127.001), which was adopted:

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

/ SECTION 1. Article 11, Chapter 21, Title 24 of the 1976 Code is amended by adding:

“Section 24-21-1010. (A)(1) A person who is applying for an order of pardon for an offense pursuant to this article may request that the South Carolina Board of Paroles and Pardons recommend the expungement of records related to the offense.

(2) A person who has received an order of pardon for an offense pursuant to this article prior to the effective date of this section may apply to the South Carolina Board of Paroles and Pardons to request that the board recommend the expungement of records related to the offense.

(B) This section does not apply to a person who is applying for an order of pardon or has received an order of pardon for a felony offense defined as a violent crime pursuant to Section 16-1-60.

(C) The applicant shall pay a recommendation of expungement application fee of one hundred dollars, which must be retained by the South Carolina Department of Probation, Parole and Pardon Services and used to defray the costs associated with the expungement process. The fee is nonrefundable, regardless of whether the offense is later determined to be ineligible for expungement. If the applicant is applying for an order of pardon and a recommendation of expungement at the same time, the applicant shall pay both the order of pardon application fee and the recommendation of expungement application fee.

(D) The South Carolina Department of Probation, Parole and Pardon Services shall implement policies and procedures consistent with this section to ensure that the recommendation of expungement process is properly conducted. Such policies and procedures must include, but are not limited to:

(1) assisting the applicant in completing the recommendation of expungement application;

(2) collecting from the applicant and distributing to the appropriate agencies separate certified checks or money orders for charges prescribed by this section;

(3) notifying the appropriate victim of the application pursuant to Section 16-3-1560, and the appropriate prosecuting or law enforcement agency;

(4) coordinating with the South Carolina Law Enforcement Division to confirm that the offense is statutorily appropriate for expungement;

(5) obtaining and verifying the presence of all necessary signatures; and

(6) providing copies of the completed recommendation of expungement to the applicant.

(E) The South Carolina Law Enforcement Division shall verify and document that the offense sought to be expunged is appropriate for expungement. The South Carolina Law Enforcement Division shall receive a twenty‑five dollar certified check or money order from the South Carolina Department of Probation, Parole and Pardon Services on behalf of the applicant made payable to the South Carolina Law Enforcement Division. The South Carolina Law Enforcement Division shall forward the necessary documentation back to the South Carolina Department of Probation, Parole and Pardon Services. Neither the South Carolina Department of Probation, Parole and Pardon Services nor the South Carolina Law Enforcement Division shall allow the applicant to take possession of the application during the recommendation of expungement application process.

(F)(1) The appropriate prosecuting or law enforcement agency may file an objection to the recommendation of expungement with the South Carolina Board of Paroles and Pardons within thirty days of receiving notice of the application. The prosecuting or law enforcement agency's reason for objecting must be that the:

(a) applicant has other charges pending;

(b) prosecuting or law enforcement agency believes that the evidence in the case needs to be preserved; or

(c) applicant's charges were dismissed as a part of a plea agreement.

(2) The prosecuting or law enforcement agency must notify the applicant of the objection in writing at the address listed on the application.

(3) If an objection is filed by the prosecuting or law enforcement agency, the objection must be heard by the South Carolina Board of Paroles and Pardons, acting in a three-member panel or meeting as a full board, and taken into consideration when the board is making a determination as to whether to recommend expungement of the applicant’s records.

(G) If no objection is filed by the prosecuting or law enforcement agency, an administrative hearing officer, appointed by the Director of the South Carolina Department of Probation, Parole and Pardon Services, may review the application and submit to the South Carolina Board of Paroles and Pardons written findings of fact and recommendations which must be taken into consideration when the board is making a determination as to whether to recommend expungement of the applicant’s records.

(H) If the South Carolina Board of Paroles and Pardons, acting in a three-member panel or meeting as a full board, recommends expungement of the applicant’s records, ten years have passed since the completion of all terms and conditions of the person’s sentence, including payment of restitution, and the person has had no other convictions other than minor traffic offenses during the ten-year period, the person may apply to the appropriate solicitors office for expungement pursuant to Article 9, Chapter 22 of Title 17.

(I)(1) No person may have the person’s records expunged pursuant to this section more than once.

(2) After the expungement, the South Carolina Department of Probation, Parole and Pardon Services and the South Carolina Law Enforcement Division shall keep a nonpublic record of the offense and the order of expungement to ensure that no person takes advantage of the rights of this section more than once. The nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know the information in order to prevent the rights afforded by this section from being taken advantage of more than once.”

SECTION 2. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

The committee amendment was adopted.

The question then was the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Ford

Gregory Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--43**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**AMENDED, READ THE SECOND TIME**

H. 4801 -- Reps. Sandifer, Gambrell, Bowen, Whitmire, Agnew, Thayer, Putnam and White: A BILL TO AMEND SECTION 6‑13‑230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PIONEER RURAL WATER DISTRICT OF OCONEE AND ANDERSON COUNTIES, SO AS TO REVISE THE QUALIFICATIONS OF PERSONS WHO MAY BE APPOINTED TO THE GOVERNING BOARD OF THE DISTRICT AND THE MANNER OF THEIR APPOINTMENT; AND TO AMEND SECTION 6‑13‑240, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE DISTRICT ACTING THROUGH ITS GOVERNING BOARD, SO AS TO PROVIDE THAT THE DISTRICT MUST NOT CONTRACT FOR OR UNDERTAKE THE CONSTRUCTION OF ANY NEW FRESHWATER TREATMENT FACILITIES UNTIL JANUARY 1, 2016.

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

Senators ALEXANDER and BRYANT proposed the following amendment (JUD4801.001), which was adopted:

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

SECTION 1. Section 6-13-230 of the 1976 Code is amended to read:

“Section 6‑13‑230(A). The district ~~shall~~ must be operated and managed by a board of directors to be known as the Pioneer Rural Water District Board of Oconee and Anderson Counties which ~~shall constitute~~ constitutes the governing body of the district. The board ~~shall~~ must consist of ~~five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of those persons attending a meeting of residents of the area held pursuant to at least one week’s notice in a local newspaper giving the time and place of the meeting. The chairman and secretary of the meeting shall certify the names of those recommended to the Governor. The original appointments must be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualify. The initial terms of office shall begin as of June 8 1965. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board~~ of five residents of the service area of the district who are qualified electors of Anderson or Oconee counties. A member’s term shall be for five years and until a successor is appointed and qualified. The board members must be elected to represent distinct service areas by the customers of Pioneer Rural Water District who are both residents of the service area and qualified electors of Anderson or Oconee county. One vote may be cast for each billing address, to be made by one individual, provided that the individual is a resident of the service area and is a qualified elector of Anderson or Oconee county. Each term is for three years and until his successor is appointed and qualified. A vacancy must be filled for the remainder of the unexpired term in the manner of original appointment.

(B) Sixty days prior to an election to fill a board member’s seat, a district meeting shall be held in the board member’s service area to nominate an individual or individuals whose name will be placed on the ballot at the annual meeting. If more than two persons are nominated, only the two individuals receiving the highest number of votes will have their names placed on the ballot. Notice of a district meeting must be provided as follows: (1) posted in at least one newspaper with general circulation in the district fifteen days prior to the meeting; (2) posted on Pioneer Rural Water District’s website for at least 15 days prior to the meeting; and (3) written notice, in a conspicuous font, at least 24 point bold font,included with the water bill to customers eligible to vote in the district meeting for the billing cycle immediately preceding the meeting.”

SECTION 2. Section 6‑13‑240 of the 1976 Code, as last amended by Act 277 of 2004, is further amended to read:

“Section 6‑13‑240. (A) Subject to the provisions of subsection (B), the district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limitation, the following:

(1) to have perpetual succession;

(2) to sue and be sued;

(3) to adopt, use and alter a corporate seal;

(4) to define a quorum for meetings;

(5) to maintain a principal office;

(6) to make bylaws for the management and regulation of its affairs;

(7) to build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs;

(8) to build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use;

(9) to acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system;

(10) to contract for or otherwise acquire a supply of water and sell water for industrial or domestic use;

(11) to prescribe rates and regulations under which such water shall be sold for industrial and domestic use;

(12) to enter into contracts of long duration for the purchase and sale of water with persons, private corporations, municipal corporations, or public bodies or agencies;

(13) to prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system;

(14) to make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district;

(15) to acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein;

(16) to make use of county and state highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve;

(17) subject always to the limitations of Section 15, Article VIII of the Constitution of South Carolina, 1895, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines;

(18) to alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve;

(19) to exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 28‑5‑10 through 28‑5‑390 and Sections 57‑5‑310 through 57‑5‑590, Code of Laws of South Carolina, 1976, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. Provided, that the power of eminent domain conferred hereunder shall not extend to the property of any public utility that the utility could have acquired under its power of eminent domain;

(20) to appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties;

(21) to make contracts for construction and other services; provided, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible qualified bidder;

(22) to borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Oconee and Anderson Counties, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Chapters 17 and 21 of this title, Code of Laws of South Carolina, 1976, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the code, the district may:

(a) disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine;

(b) provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district;

(c) covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured;

(d) confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities;

(e) dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve;

(f) make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve;

(g) covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount;

(h) covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State;

(i) prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which consent shall be given;

(j) prescribe the events of default and terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived;

(23) to extend its system or systems, within Oconee and Anderson Counties, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district;

(24) to construct, operate, or maintain sewer lines or to contract with other entities to construct, operate, or maintain sewer lines. The authority granted in this item does not give the district the power to construct or operate a sewerage treatment facility.

(B) Before the board makes an investment in a facility or any other action that obligates the water district for one million dollars or more, it must provide for an independent audit by a certified public accountant or public accountant or firm of these accountants who have no personal interest, direct or indirect, in the fiscal affairs of the district or in an entity which may benefit financially from the transaction to be audited. This audit must include the potential impact of the board’s action on its ratepayers and must be presented to the district’s customers at a meeting prior to entering into the action prompting the audit. Notice of a meeting pursuant to this subsection must be provided to customers of the water district as follows: (1) posted in at least one newspaper with general circulation in the district fifteen days prior to the meeting; (2) posted on Pioneer Rural Water District’s website for at least 15 days prior to the meeting; and (3) written notice, in a conspicuous font, in at least 24 point bold font, included with the water bill to all customers for the billing cycle immediately preceding the meeting.

(C) Any action taken by the board must be made in the ratepayers’ best interests. Best interests must include consideration of, but limited to, the public interest of the ratepayers, financial integrity of the water district, and economic development of the area to be provided with service by the water district.”

SECTION 3. Section 6-13-250 of the Code of Laws is amended to read:

“The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof. However, the board must provide to the Office of Regulatory Staff by July 1st each year, for information purposes, in such form as the Office of Regulatory Staff may designate, schedules showing all rates, service rules and regulations, and forms of service contract established by the board.”

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

The question then was the second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--42**

**NAYS**

**Total--0**

The Bill was read the second time, passed and ordered to a third reading.

**OBJECTION**

H. 3274 -- Reps. Huggins, Atwater, Hamilton, Stringer, Nanney, Henderson, G.R. Smith, Weeks, Clemmons, Whipper and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27‑37‑5 SO AS TO DEFINE THE TERMS “MALICIOUS PROPERTY DAMAGE” AND “THREAT TO HUMAN LIFE”; TO AMEND SECTION 27‑37‑30, RELATING TO A RULE TO SHOW CAUSE FOR THE EJECTMENT OF A TENANT, SO AS TO PROVIDE THE RULE MAY BE SERVED BY AFFIXING A COPY OF IT ALONE TO THE MOST CONSPICUOUS PART OF THE PREMISES IF GROUNDS FOR EJECTMENT FOR A RESIDENTIAL RENTAL AGREEMENT ARE CIRCUMSTANCES THAT CONSTITUTE MALICIOUS PROPERTY DAMAGE OR A THREAT TO HUMAN LIFE; TO AMEND SECTION 27‑37‑40, RELATING TO TENANT EJECTMENT ON FAILURE TO SHOW CAUSE, SO AS TO PROVIDE IF GROUNDS FOR EJECTMENT CONSTITUTE MALICIOUS PROPERTY DAMAGE OR THREAT TO HUMAN LIFE AND TENANT FAILS TO APPEAR AND SHOW CAUSE WITHIN FIVE DAYS, THE MAGISTRATE IMMEDIATELY SHALL ISSUE AN EJECTMENT WARRANT AND TENANT MUST BE EJECTED BY CERTAIN LAW ENFORCEMENT OFFICERS; AND TO AMEND SECTION 27‑40‑720, RELATING TO LANDLORD REMEDIES FOR TENANT NONCOMPLIANCE AFFECTING HEALTH AND SAFETY, SO AS TO PROVIDE AN EMERGENCY MEANS CIRCUMSTANCES CONSIDERED TO THREATEN SIGNIFICANT PROPERTY DAMAGE OR HUMAN LIFE.

Senator MALLOY objected to the Bill.

**OBJECTION**

H. 4614 -- Reps. Pitts, Lucas, Hearn, Brannon, Weeks, Spires, Loftis and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 15, TITLE 63 SO AS TO SPECIFY CERTAIN PROCEDURES AND REQUIREMENTS FOR COURT‑ORDERED CHILD CUSTODY, INCLUDING, BUT NOT LIMITED TO, DEFINING “JOINT CUSTODY” AND “SOLE CUSTODY”, REQUIRING PARENTS TO JOINTLY PREPARE AND SUBMIT A PARENTING PLAN, WHICH THE COURT MUST CONSIDER BEFORE ISSUING TEMPORARY AND FINAL CUSTODY ORDERS; REQUIRING THE COURT TO MAKE FINAL CUSTODY DETERMINATIONS IN THE BEST INTEREST OF THE CHILD BASED UPON THE EVIDENCE PRESENTED, REQUIRING THE COURT TO CONSIDER JOINT CUSTODY IF EITHER PARENT SEEKS IT, STATING FINDINGS OF FACT AS TO WHY OR WHY NOT JOINT CUSTODY WAS AWARDED, PROVIDING MATTERS THAT MAY BE INCLUDED IN A CUSTODY ORDER, PROVIDING FACTORS THE COURT MAY CONSIDER IN ISSUING OR MODIFYING A CUSTODY ORDER WHEN CONSIDERING THE BEST INTEREST OF THE CHILD, AND AUTHORIZING A PARENT TO SEEK ARBITRATION OF AN ISSUE THAT CANNOT BE RESOLVED BETWEEN THE PARENTS; AND TO AMEND SECTION 63‑5‑30, RELATING TO THE RIGHTS AND DUTIES OF PARENTS TO THEIR CHILDREN, SO AS TO PROVIDE THAT UNLESS OTHERWISE PROVIDED BY AN ORDER OF THE COURT, PARENTS HAVE EQUAL POWERS, RIGHTS, AND DUTIES CONCERNING ALL MATTERS AFFECTING THEIR CHILDREN.

Senator MALLOY objected to consideration.

**OBJECTION**

H. 4699 -- Reps. Bannister, Harrison, Horne, Sellers, Hearn, Young, H.B. Brown, J.E. Smith, Brannon, Stavrinakis, Funderburk, Allen, Weeks, Munnerlyn and McLeod: A BILL TO AMEND SECTION 14‑5‑610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS AND ADDITIONAL AT‑LARGE JUDGES, SO AS TO INCREASE THE NUMBER OF AT‑LARGE CIRCUIT COURT JUDGES FROM THIRTEEN TO NINETEEN; AND TO AMEND SECTION 63‑3‑40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD SIX ADDITIONAL FAMILY COURT JUDGES WHO SHALL BE AT LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.

Senator SHANE MARTIN objected to consideration.

**CARRIED OVER**

H. 4451 -- Reps. Bowen, Whipper, Bikas, Sottile, Herbkersman, D.C. Moss, Allison, Parker, Huggins, Bowers and Hearn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56‑5‑3890, 56‑5‑3895, AND 56‑5‑3897 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND TO PROVIDE FOR THE DISTRIBUTION OF MONIES COLLECTED FROM FINES ASSOCIATED WITH VIOLATIONS OF THESE PROVISIONS; AND TO AMEND SECTION 56‑1‑720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON’S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT POINTS MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF IMPROPER USE OF AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE.

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

H. 5104 -- Reps. McLeod and Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO REQUIRE ALL TESTIMONY GIVEN TO A COMMITTEE OR SUBCOMMITTEE OF THE GENERAL ASSEMBLY MUST BE UNDER OATH AND TO CREATE THE OFFENSES OF CONTEMPT OF THE GENERAL ASSEMBLY AND CRIMINAL CONTEMPT AND PROVIDE A PENALTY FOR A VIOLATION.

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

H. 3163 -- Reps. Tallon, Cole, Allison, G.R. Smith, Taylor, McCoy, Forrester, Murphy, Hixon and Patrick: A BILL TO AMEND ARTICLE 23, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR, DRUGS, OR NARCOTICS, BY ADDING SECTION 56-5-2905 TO INCLUDE MOPEDS IN THE DEFINITION OF MOTOR VEHICLES FOR THE PURPOSES OF THE ARTICLE.

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

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.

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

**CARRIED OVER**

H. 3209 -- Reps. Cobb‑Hunter, Long, Brady and Knight: A BILL TO AMEND SECTION 20‑4‑60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO A PET ANIMAL OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF PET ANIMALS.

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

**MINORITY REPORT REMOVED, CARRIED OVER**

H. 3235 -- Reps. Taylor, Young, J.R. Smith, Bikas, Chumley, Quinn, Clemmons and Barfield: A BILL TO AMEND SECTION 30‑4‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES AND THE TIME WITHIN WHICH CERTAIN RECORDS MUST BE FURNISHED UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE RECORDS MUST BE FURNISHED AT CURRENT MARKET VALUE TO THE PERSON REQUESTING THE RECORDS, AND TO PROVIDE WHERE A PUBLIC BODY GRANTS A REQUEST FOR RECORDS, IT MUST FURNISH THOSE RECORDS FOR INSPECTION OR COPYING IMMEDIATELY, BUT NO LATER THAN THIRTY DAYS AFTER THE DATE OF THE FORMAL REQUEST.

Senator HUTTO asked unanimous consent to make a motion to remove the Minority Report from the Bill.

There was no objection and the Minority Report was removed from the Bill and a notation was made on the Bill.

The question then was the second reading of the Bill.

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

**CONCURRENCE**

S. 1375 -- Senators Campsen, Hutto and Ford: A BILL TO AMEND SECTION 56‑5‑3860 OF THE 1976 CODE, RELATING TO THE PROHIBITION OF ANIMALS AND CERTAIN VEHICLES ON CONTROLLED ACCESS HIGHWAYS, TO PROVIDE FOR AN EXEMPTION FOR BICYCLES AND PEDESTRIANS UNDER CERTAIN CIRCUMSTANCES.

The House returned the Bill with amendments.

Senator CAMPSEN asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

Senator CAMPSEN explained the amendments.

The question then was concurrence with the House amendments.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Davis

Fair Gregory Grooms

Hutto Jackson Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

**Total--0**

The Senate concurred in the House amendments and a message was sent to the House accordingly.

**CONCURRENCE**

H. 5165 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF ATLAS ROAD AND VETERANS ROAD IN RICHLAND COUNTY “JULIUS MURRAY INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “JULIUS MURRAY INTERSECTION”, NAME THE PORTION OF GREENLAWN DRIVE IN RICHLAND COUNTY FROM ITS INTERSECTION WITH GARNERS FERRY ROAD TO ITS INTERSECTION WITH LEESBURG ROAD “HOWARD R. CAMPBELL ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “HOWARD R. CAMPBELL ROAD”, AND NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF INTERSTATE HIGHWAY 77 AND SOUTH CAROLINA HIGHWAY 555 IN RICHLAND COUNTY “HARRY ‘H. B.’ RUTHERFORD, SR. INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “HARRY ‘H. B.’ RUTHERFORD, SR. INTERCHANGE”.

The House returned the Resolution with amendments.

Senator JACKSON asked unanimous consent to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The question then was concurrence with the House amendments.

Senator JACKSON explained the amendments.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Coleman

Courson Davis Fair

Gregory Grooms Hutto

Jackson Knotts Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

**Total--0**

The Senate concurred in the House amendments and a message was sent to the House accordingly.

The Concurrent Resolution was returned to the House.

**HOUSE AMENDMENTS AMENDED**

**RETURNED TO THE HOUSE**

S. 1088 -- Senators McConnell, Ford and Knotts: 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 STATE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE STATE ETHICS COMMISSION, 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, 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 PROVIDE FOR THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

The House returned the Bill with amendments.

Senator LARRY MARTIN asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator LARRY MARTIN explained the House amendments.

**Amendment No. 1**

Senators LARRY MARTIN, ALEXANDER, VERDIN and CROMER proposed the following amendment (JUD1088.002), which was adopted:

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

/ SECTION 1. Section 1‑13‑40(b) of the 1976 Code is amended to read:

“(b) The commission shall consist of ~~fifteen members, with two members~~ a member from each congressional district appointed by the Governor, with the advice and consent of the Senate, and ~~three~~ two members at large appointed by the Governor. ~~The first appointed members from the first and second congressional districts and one at large member shall serve until June, 1984. The first appointed members from the third and fourth congressional districts and one at large member shall serve until June, 1985.~~ ~~Thereafter all~~ Each member~~s~~ shall serve for a term of three years and until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired term.”

SECTION 2. Section 1‑15‑10 of the 1976 Code, as last amended by Act 249 of 2008, is further amended to read:

“Section 1‑15‑10. There is hereby created a Commission on Women to be composed of ~~fifteen~~ sixteen members appointed by the Governor with the advice and consent of the Senate from among persons with a competency in the area of public affairs and women’s activities. One member must be appointed from each congressional district and the remaining members from the State at large. The commission ~~shall~~must be under and a part of the Office of the Governor. Members of the commission shall serve for terms of four years and until their successors are appointed and qualify, except of those members first appointed after the expansion of the commission to fifteen members, two members shall serve a term of one year, two members shall serve a term of two years, two members shall serve a term of three years, and two members shall serve a term of four years. Members appointed prior to and after the expansion of the commission to fifteen members ~~shall~~must be designated by the Governor as being appointed to serve either from a particular congressional district or at large. The member first appointed from the Seventh Congressional District after the expansion of the commission to sixteen members shall serve a four-year term. Vacancies ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. No member ~~shall~~must be eligible to serve more than two consecutive terms.”

SECTION 3. Section 1‑31‑10 of the 1976 Code is amended to read:

“Section 1‑31‑10 . There is created a State Commission for Minority Affairs consisting of nine members and the Governor ex officio. The Governor must appoint one person from each of the ~~six~~ congressional districts of the State and ~~three~~ two persons from the State at large upon the advice and consent of the Senate. The Governor shall designate the chairman. The members serve for a term of four years and until their successors are appointed and qualify. A vacancy must be filled in the same manner as original appointment for the remainder of the unexpired term. A majority of the members of the commission must be African American.”

SECTION 4. Section 6‑19‑30 of the 1976 Code is amended to read:

“Section 6‑19‑30. The fund for such grants shall be from either revenue-sharing trust funds or from general appropriations to the Department of Health and Environmental Control, which shall administer such grants for intermission to public water supply authorities or districts, sewer authorities or districts, water and sewer authorities, rural community water or sewer systems, nonprofit corporations or municipal sewer systems to which the grant is made. The Governor, with the advice and consent of the Senate, shall appoint an advisory committee composed of ~~six~~ seven members, one from each congressional district of the State. In addition an employee of the Department of Health and Environmental Control, designated by the commissioner thereof, shall serve ex officio as a member of the committee. The Governor may invite any director or his representative from any agency providing water and sewer funds to serve as an advisory nonvoting member to the committee. ~~Of those initially appointed by the Governor and serving on April 1, 1975, the members representing the third and sixth districts shall serve until June 30, 1977, the members representing the second and fourth districts shall serve until June 30, 1978, and the members representing the first and fifth districts shall serve until June 30, 1979. Thereafter all~~ All members shall be appointed for terms of three years. In the event of a vacancy a successor shall be appointed for the unexpired term in the manner of original appointment. The advisory committee shall meet as soon after its appointment as may be practicable and shall organize by electing a chairman, vice‑chairman, secretary, and such other officers as it may deem desirable. The advisory committee shall select the projects to be funded in accordance with Section 6‑19‑40. Funds may also be expended from gifts or grants from any source which are made available for the purpose of carrying out the provisions of this chapter. Appropriations made to the fund but not expended at the end of the fiscal year for which appropriated shall not revert to the general fund but shall accrue to the credit of the fund. Grants shall be made only for water supply and waste water facilities projects on which construction was not commenced before April 1, 1974.”

SECTION 5. Section 13‑1‑1050(B) of the 1976 Code is amended to read:

“(B) The terms of the initial members of the commission appointed from congressional district are as follows:

(1) commission members appointed to represent congressional district one and two, two years;

(2) commission members appointed to represent congressional district three, ~~and~~ four, and seven, three years;

(3) commission members appointed to represent congressional district five and six, four years.”

SECTION 6. Section 13‑17‑40 (A) of the 1976 Code is amended to read:

“(A)(1) The SCRA shall consist of a board of twenty‑four trustees that includes the following ex officio members: President of the Council of Private Colleges of South Carolina, Chairman of the South Carolina Commission on Higher Education, President of Clemson University, President of the Medical University of South Carolina, President of South Carolina State College, President of the University of South Carolina, Director of Savannah River National Laboratory, President of Francis Marion University, Chairman of the State Board for Technical and Comprehensive Education, Governor of South Carolina or his designee, Chairman of the House Ways and Means ~~Committee’s~~ Committee or his designee, Chairman of the Senate Finance ~~Committee’ s~~ Committee or his designee, and the Secretary of Commerce or his designee.

(2) The Governor shall name the chairman who must not be a public official and who serves at the pleasure of the Governor. The remaining ten trustees must be elected by the board of trustees from a list of nominees submitted by an ad hoc committee named by the chairman and composed of the members serving as elected trustees. ~~The original elected trustees must be the same members serving as elected trustees on the board on January 1, 2005.~~ Each of the Congressional Districts of South Carolina ~~has~~ must have at least one of the ten trustees.

(3) Terms of elected trustees are for four years, and half expire every two years. An elected trustee may not serve more than two consecutive four‑year elected terms. Vacancies must be filled for the unexpired term in the manner of original appointment. A vacancy occurs upon the expiration of the term of service, death, resignation, disqualification, or removal of a trustee.”

SECTION 7. Section 24‑21‑10(B) of the 1976 Code is amended to read:

“(B) The Board of Probation, Parole and Pardon Services is composed of seven members. The terms of office of the members are for six years. ~~Six~~ Each of the seven members must be appointed from each of the congressional districts ~~and one member must be appointed at large~~. ~~The at‑large~~ At least one appointee shall have at least five years of work or volunteer experience in one or more of the following fields: parole, probation, corrections, criminal justice, law, law enforcement, psychology, psychiatry, sociology, or social work. Vacancies must be filled by gubernatorial appointment with the advice and consent of the Senate for the unexpired term. If a vacancy occurs during a recess of the Senate, the Governor may fill the vacancy by appointment for the unexpired term pending the consent of the Senate, provided the appointment is received for confirmation on the first day of the Senate’s next meeting following the vacancy. A chairman must be elected annually by a majority of the membership of the board. The chairman may serve consecutive terms.”

SECTION 8. Section 25‑19‑10 of the 1976 Code is amended to read:

“Section 25‑19‑10. There is established a Prisoner of War Commission in South Carolina composed of one member from each congressional district and one member from the State at large, to be appointed by the Governor with the advice and consent of a majority ~~of the members~~ of the Senate members representing the congressional district involved and a majority ~~of the members~~ of the House of Representatives members representing the congressional district involved. A chairman must be elected annually by the commission from its membership. All members must be former prisoners of war. The South Carolina Department of the American Ex‑Prisoners of War may submit to the Governor names and biographical data on former prisoners of war willing and able to serve. Their terms are for four years and until their successors are appointed and qualify~~, except that the initial members from the first, third, and fifth congressional districts shall serve for terms of two years~~. Vacancies must be filled by the Governor for the remainder of an unexpired term.”

SECTION 9. Section 40‑57‑40(A) of the 1976 Code is amended to read:

“(A) The South Carolina Real Estate Commission consists of ~~nine~~ ten members elected or appointed as follows:

(1) ~~Six~~ seven members who are professionally engaged in the active practice of real estate, one elected from each of the ~~six~~ seven congressional districts by a majority of House members and Senators, representing the house and senate districts located within each of the congressional districts~~.~~;

(2) ~~Two~~ two members representing the public who are not professionally engaged in the practice of real estate, each appointed by the Governor with the advice and consent of the Senate~~.~~;

(3) ~~The eight~~ the nine elected and appointed members shall elect from the State at large~~,~~ one additional member who must be in the active practice of real estate.”

SECTION 10. Section 40‑59‑10(A) of the 1976 Code is amended to read:

“(A) There is created the South Carolina Residential Builders Commission which must be composed of ~~seven~~ eight persons who shall have been residents of the State for at least five years and two of whom must be consumers not engaged in the business of residential building, four of whom have been actively engaged in residential building for a period of at least five years before the date of their appointment, and who must be recommended to the Governor by the South Carolina Home Builders Association and one of whom has been actively engaged in residential specialty contracting for a period of at least five years before the date of appointment. One member must be appointed from each congressional district, and one must be appointed from the State at large. Members of the commission must be appointed by the Governor with the advice and consent of the Senate for a term of four years or until their successors are appointed and qualify. A vacancy occurring by reason of death, resignation, removal for cause, or otherwise must be filled for the remainder of the unexpired term in the manner of the original appointment. The Governor may remove any member of the commission in accordance with Section 1‑3‑240.”

SECTION 11. Section 40‑69‑10(A) of the 1976 Code is amended to read:

“(A) There is created the State Board of Veterinary Medical Examiners to be composed of ~~nine~~ ten members, one of whom must be a consumer member from the State at large, one of whom must be a licensed veterinary technician practicing in this State, one of whom must be a veterinarian from the State at large, and ~~six~~ seven of whom must be veterinarians representing each of the ~~six~~ seven congressional districts. Each veterinarian and veterinary technician must be a resident of the State, licensed by the State, and currently practicing with at least five years of clinical experience. Each veterinarian representing a congressional district must reside in the district that he represents. The consumer member must be a resident of this State. The terms of the members are for six years and until their successors are appointed and qualify. The chairman may ~~only~~ vote only in the case of a tie vote by the board.”

SECTION 12. Section 40‑81‑50(A) of the 1976 Code is amended to read:

“(A) There is created the State Athletic Commission consisting of ~~eight~~ nine members appointed by the Governor with the advice and consent of the Senate to regulate boxing, kickboxing, wrestling, mixed martial arts, and other combative sports in this State. One member must be appointed from each congressional district of the State and two from the State at large. One of the at‑large appointments shall be a physician licensed and in good standing in the State. The terms of the members are for four years and until their successors are appointed and qualified. Vacancies must be filled by the Governor for the remainder of an unexpired term. The commissioners of the State Athletic Commission may not have any financial interest, direct or indirect, in the promotion, management, or result of any boxing, kickboxing, mixed martial arts, or wrestling event or exhibition.”

SECTION 13. Section 41‑43‑30 of the 1976 Code is amended to read:

“Section 41‑43‑30. There is created the South Carolina Jobs‑Economic Development Authority, a public body corporate and politic and an agency of the State, with the responsibility of effecting the public purposes of this act. The authority is governed by a board of directors (board) which consists of ~~nine~~ ten members.”

SECTION 14. Section 43‑25‑10 of the 1976 Code is amended to read:

“Section 43‑25‑10. There is ~~hereby~~ created the South Carolina Commission for the Blind. The commission shall consist of seven members, one from each of the ~~six~~ seven Congressional Districts ~~and one from the State at large~~, of whom three shall have a visual acuity not to exceed 20/200. The Governor shall, with the advice and consent of the Senate, appoint the members of the commission for terms of four years and until their successors are appointed and qualify. All vacancies ~~shall~~ must be filled in the manner of the original appointment for the unexpired portion of the term only. The members of the commission shall elect one of its members as chairman for a term of two years or until his successor has been elected. The chairman shall preside at the regular meetings of the commission to be held at least once each month. The chairman may call a meeting when he ~~deems~~ considers it necessary to be held at a time to be determined by the commission. The commission shall appoint a commissioner and ~~such~~ other officers as ~~it deems~~ the commission considers necessary, none of whom ~~shall~~ may be a member of the commission, and shall fix the compensation and prescribe the duties of ~~such~~ these appointees. The members of the commission shall receive no salary but ~~shall~~ must be allowed the usual mileage, subsistence, and per diem as authorized by law for commissions, committees, and boards.”

SECTION 15. Section 43‑31‑40 of the 1976 Code is amended to read:

“Section 43‑31‑40. The Governor shall appoint a State Agency of Vocational Rehabilitation to be composed of seven members, ~~which~~ and this agency shall provide for the administration of this chapter. The members of the agency shall consist of one member from each congressional district ~~and one member at large~~. The Governor, upon the advice and consent of the Senate, shall appoint the members. The members ~~first appointed having been designated by the Governor to serve for terms of one, two, three, four, five, six and seven years respectively, each member of the Agency thereafter shall be appointed for~~ shall serve a term of seven years. The terms of office ~~shall~~ must always remain staggered so that the term of one member ~~shall expire~~ expires every year with appointments to fill unexpired terms caused by death, resignation, or disability.”

SECTION 16. Section 48‑4‑30 of the 1976 Code is amended to read:

“Section 48‑4‑30. (A) The department shall be governed by a board consisting of ~~seven~~ non‑salaried board members to be appointed and constituted in a manner provided by law. ~~Board members of the former Department of Wildlife and Marine Resources shall serve as board members for the Department of Natural Resources until their terms expire and their successors are appointed and qualify.~~ The Governor shall appoint one member to serve as chairman, upon the advice and consent of the Senate. The appointment to chairman is subject to the advice and consent of the Senate, even if the person appointed to serve as chairman is already a current member of the board.

(B) All board members shall be appointed by the Governor with the advice and consent of the Senate. One member shall be appointed from each congressional district of the ~~state and one shall be appointed from the state at‑large~~ State.

(C) Notwithstanding subsection (B), membership on the board shall also include the at‑large board member serving on the board on March 1, 2012. The at‑large board member may continue to serve on the board until that board member’s term expires, he is removed from the board as provided by law, or he resigns from the board. At the expiration of the at‑large board member’s term, or upon his removal from or resignation from the board, the provisions of this subsection no longer apply to the composition of the membership of the board.

(D) In making appointments, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed. Board members must possess sound moral character, superior knowledge in the fields of wildlife, marine, and natural resource management, and proven administrative ability.

(E) The Governor may remove any board member pursuant to the provisions of Section 1‑3‑240.

(F) Terms of the members shall be for four years and until their successors are appointed and qualify. If a vacancy occurs when the General Assembly is not in session, it must be filled by the Governor’s appointment for the unexpired term, subject to confirmation by the Senate at the next session of the General Assembly.

(G) Each board member, within thirty days after notice of appointment and before taking office, shall take and file with the Secretary of State the oath of office prescribed by the State Constitution. ~~One of the members of the board shall be designated by the Governor to serve as chairman.~~

(H) Notwithstanding subsection (E), the terms of members representing congressional districts serving on the board on March 1, 2012, shall terminate on the dates provided in this subsection. The terms of the members representing the Fourth and the Sixth Congressional Districts shall expire July 1, 2012. The terms of the members representing the First, Second, Third, and Fifth Congressional Districts shall expire on July 1, 2014.

(I) Notwithstanding subsection (E), the initial term of the member representing the Seventh Congressional District shall expire July 1, 2016.”

SECTION 17. Section 48‑39‑40(A) of the 1976 Code is amended to read:

“(A) On July 1, 1994, there is created the Coastal Zone Management Appellate Panel which consists of ~~fourteen~~ fifteen members, which shall act as an advisory council to the Department of Health and Environmental Control. The members of the panel shall be constituted as follows: eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; ~~six~~ seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote. The panel shall elect a chairman, ~~vice‑chairman~~ vice chairman, and other officers it considers necessary.”

SECTION 18. Section 48‑39‑45(A) of the 1976 Code is amended to read:

“(A)(1) On July 1, 2010, there is created the Coastal Zone Management Advisory Council that consists of ~~fourteen~~ fifteen members, which shall act as an advisory council to the department’s Office of Ocean and Coastal Resources Management.

(2) The members of the council must be constituted as follows:

(a) eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; and

(b) ~~six~~ seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote.

(3) The council shall elect a chairman, vice chairman, and other officers it considers necessary.”

SECTION 19. Section 48‑59‑40 (A) of the 1976 Code is amended to read:

“(A) There is established the South Carolina Conservation Bank. The bank is governed by a ~~twelve~~ fourteen-member board selected as follows:

(1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission, and the Director of the South Carolina Department of Parks, Recreation and Tourism, all of whom shall serve ex officio and without voting privileges;

(2) three members appointed by the Governor from the State at large;

(3) ~~three~~ four members appointed by the Speaker of the House of Representatives, one each from the third, fourth, and sixth congressional districts and one member from the State at large; and

(4) ~~three~~ four members appointed by the President Pro Tempore of the Senate, one each from the first, second, ~~and~~ fifth, and seventh congressional districts.”

SECTION 20. Section 51‑13‑1720 of the 1976 Code is amended to read:

“Section 51‑13‑1720. The authority ~~shall~~must be governed by a board of regents consisting of ~~nine~~ten members, as follows:

(a) The resident Senator for Colleton County shall serve ex officio~~;~~.

(b) The Representative in whose district the present Village of Jacksonborough is ~~situate~~ located shall serve ex officio~~;~~.

(c) Four members resident in Colleton County appointed by the Governor upon recommendation of the Colleton County Legislative Delegation~~;~~.

(d) One member resident in the First or Second Congressional District appointed by the Governor with the advice and consent of the Senate~~;~~.

(e) One member resident in the Third or Fourth Congressional District appointed by the Governor with the advice and consent of the Senate~~;~~.

(f) One member resident in the Fifth or Sixth Congressional District appointed by the Governor with the advice and consent of the Senate~~;~~.

(g) one member resident in the Seventh Congressional District appointed by the Governor with the advice and consent of the Senate.

The terms of the members ~~shall~~must be for four years and until their successors are appointed and qualify except that those originally appointed to the board of regents, four shall serve two years and three shall serve for four years. The length of such terms ~~shall~~must be determined by lot. In the case of ~~any~~ a vacancy, the vacancy ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. The board of regents, upon being appointed, shall meet and elect a chairman and ~~such~~ other officers ~~as~~ it ~~deems~~considers necessary from its membership.”

SECTION 21. Section 51‑17‑50 of the 1976 Code is further amended to read:

“Section 51‑17‑50. The Heritage Trust Advisory Board is hereby created to assist the board of the department in carrying out its duties and responsibilities under this chapter. The advisory board shall consist of ~~seventeen~~ eighteen members who ~~shall~~must be chosen as follows and shall elect from its membership a chairman:

~~1.~~(1) From the general public, ~~six~~ seven persons, one from each congressional district within the State, who ~~shall~~ must be appointed by the Governor and serve for a term of six years. Of these six, four persons ~~shall~~must be from the scientific community who are recognized and qualified experts in the ecology of natural areas, and two persons ~~shall~~must be from the cultural community who are recognized and qualified experts in the history and archeology of the State. The term ‘expert’ does not of necessity denote a professional but one learned and interested in the field.

~~2.~~(2) From state government, the following persons or their designees:

~~A.~~(a) ~~The~~the Chairman of the board of the Department of Natural Resources;

~~B.~~(b) ~~The~~the Director of the Department of Natural Resources;

~~C.~~(c) ~~The~~the Director of the South Carolina Department of Park, Recreation and Tourism;

~~D.~~(d) ~~The~~the Director of the Land Resources Conservation Districts Division of the Department of Natural Resources;

~~E.~~(e) ~~The~~the Director of the South Carolina Department of Archives and History;

~~F.~~(f) ~~The~~the State Forester;

~~G.~~(g) ~~The~~the State Archeologist;

~~H.~~(h) ~~The~~the Director of the State Museum; and

~~I.~~(i) ~~The~~the Secretary of Commerce.

~~Provided, however, of the initial appointees under this section, that of the six persons appointed under Item 1 above, two shall serve for a term of two years, two for a term of four years, and two for a term of six years.~~”

SECTION 22. Section 51‑18‑60 of the 1976 Code is amended to read:

“Section 51‑18‑60. The War Between the States Heritage Trust Advisory Board is ~~hereby~~ created to assist the commission in carrying out its duties and responsibilities under this chapter. The advisory board shall consist of ~~eleven~~ thirteen members who ~~shall~~must be chosen as follows and shall elect from its membership a chairman:

(1) From the general public, ~~six~~ eight persons, one from each congressional district within the State and one at large, who ~~shall~~must be appointed by the Governor and serve for a term of six years. These persons ~~shall~~must be residents of the State who are recognized experts in the history and archeology of the State who have demonstrated an interest in historical, cultural, and natural preservation of historical sites and who have a background in South Carolina history and/or African‑American history and/or Confederate history. The term ‘expert’ does not of necessity denote a professional but one learned and interested in the field.

(2) From state government, the following persons or their designees:

(a) the Chairman of the board of the Department of Natural Resources;

(b) the Director of the South Carolina Department of Parks, Recreation and Tourism;

(c) the Chairman of the board of the Department of Archives and History;

(d) the Chairman of the board of the State Museum Commission; and

(e) the Curator or Director of the South Carolina Confederate Relic Room and Military Museum.

~~Provided, however, of the initial appointees under this section, that of the six persons appointed under item (1) above, two shall serve for a term of two years, two for a term of four years, and two for a term of six years.~~”

SECTION 23. Section 51‑22‑30(A) of the 1976 Code, as added by Act 145 of 1995, is amended to read:

“(A) There is created a ~~fifteen member~~ seventeen-member board of directors, ~~thirteen~~ fifteen of which ~~shall~~must be appointed by the Governor. The Governor shall appoint two board members from each congressional district and one board member from the State at large, who shall serve as the chairman. ~~Six board members shall be appointed for two‑year terms, and seven board members shall be appointed for four‑year terms. Subsequent to the initial two‑year terms, all~~ All terms ~~shall be~~ are for four years~~,~~ and members shall serve until their successors are appointed and qualify. In addition, notwithstanding the provisions of Section 8‑13‑770, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, or their designees, shall serve as members of the board. The Governor must exercise due diligence in appointing a chairman and board members with backgrounds and experience in conservation, preservation, or recreation, or a combination ~~thereof~~ of those backgrounds.”

SECTION 24. Section 58-3-20 of the 1976 Code is amended to read:

“Section 58‑3‑20. (A) The commission is composed of seven members to be elected by the General Assembly in the manner prescribed by this chapter. ~~For any term beginning after June 30, 2006, each~~  Each member must have:

(1) a baccalaureate or more advanced degree from:

(a) a recognized institution of higher learning requiring face‑to‑face contact between its students and instructors prior to completion of the academic program;

(b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(c) an institution of higher learning chartered before 1962; and

(2) a background of substantial duration and an expertise in at least one of the following:

(a) energy issues;

(b) telecommunications issues;

(c) consumer protection and advocacy issues;

(d) water and wastewater issues;

(e) finance, economics, and statistics;

(f) accounting;

(g) engineering; or

(h) law.

(B) The review committee may find a candidate qualified although the candidate does not have a background of substantial duration and expertise in one of the eight enumerated areas contained in subsection (A)(2) of this section if three‑fourths of the review committee vote to qualify ~~such~~ the candidate and provide written justification of their decision in the report as to the qualifications of the candidates.

(C) The qualification provisions of subsection (A) of this section do not apply to the reelection of ~~any~~ a commissioner elected by the General Assembly on March 3, 2004, so long as there is no break in service.

(D)(1) Beginning in 2004, the members of the Public Service Commission must be elected to staggered terms. In 2004, the members representing the second, fourth, and sixth congressional districts must be elected for terms ending on June 30, 2006, and until their successors are elected and qualify. Thereafter, members representing the second, fourth, and sixth congressional districts must be elected to terms of four years and until their successors are elected and qualify. In 2004, the members representing the first, third, and fifth congressional districts and the State at‑large must be elected for terms ending on June 30, 2008, and until their successors are elected and qualify. Thereafter, members representing the first, third, and fifth congressional districts and the State at‑large must be elected to terms of four years and until their successors are elected and qualify. Notwithstanding the provisions of this section, members representing the first, third, and fifth congressional districts shall serve until the expiration of their terms, and in 2013, members representing the first, third, and fifth congressional districts must be elected for terms ending on June 30, 2016, and until their successors are elected and qualified

(2) In the event there are seven congressional districts, the member elected from the State at large shall serve until the expiration of his term, and in 2013, a member representing the seventh congressional district must be elected for a term ending on June 30, 2016, and until his successor is elected and qualified. Thereafter, the member representing the seventh congressional district must be elected to terms of four years and until his successor is elected and qualified.  Upon the election and qualification of the member representing the seventh congressional district, the at‑large member elected to satisfy the requirements of subsection (E) immediately shall cease to be a member of the commission.

(E) The General Assembly must provide for the election of the seven‑member commission and elect its members based upon the congressional districts established by the General Assembly pursuant to the latest official United States Decennial Census. If the number of congressional districts is less than seven, additional members must be elected at large to provide for a seven‑member commission. In the event the congressional districts established by the General Assembly are under review by a court for compliance with statutory or constitutional requirements, an election scheduled pursuant to this section shall not be held until a final determination is made by the courts regarding the congressional districts. The inability to hold an election due to judicial review of the congressional districts does not constitute a vacancy on the commission and the commissioners serve until their successors are elected and qualify.

(F) The Governor may fill vacancies in the office of commissioner until the successor in the office for a full term or an unexpired term, as applicable, has been elected by the General Assembly. In cases where a vacancy occurs on the commission when the General Assembly is not in session, the Governor may fill the vacancy by an interim appointment. The Governor must report the interim appointment to the General Assembly and must forward a formal appointment at its next ensuing regular session.”

SECTION 25. Section 58-31-20(A) of the 1976 Code is amended to read:

“(A) The Public Service Authority consists of a board of ~~eleven~~ twelve directors who reside in South Carolina and who ~~shall~~ have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58‑3‑530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom ~~shall~~must be chairman. Two of the directors ~~shall~~must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. ~~but must not~~ A director shall not serve as an employee or board member of an electric cooperative during ~~their~~ his term as a director. Each director shall serve for a term of seven years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, ~~must appoint~~ with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of seven years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director’s successor, with the advice and consent of the Senate, and the successor-director shall hold office for the unexpired term. ~~No~~ A director ~~shall~~ may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties ~~hereunder~~, the actual expense to be advanced from the contingent fund of the Governor until ~~such~~the time ~~as~~ the Public Service Authority is in funds, at which time the contingent fund ~~shall~~must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board ~~shall~~must be paid from ~~such~~ these funds, and the compensation and expenses must be fixed by the advisory board ~~hereinafter~~ established in this section. Members of the board of directors may be removed for cause, ~~as established in~~ pursuant to Section 1‑3‑240(C), by the Governor of the State, the advisory board, or a majority thereof. ~~No~~ A member of the General Assembly of the State of South Carolina ~~shall be~~ is not eligible for appointment as director of the Public Service Authority during the term of his office. No more than two members from the same county ~~shall~~may serve as directors at any time.”

SECTION 26. Section 59‑26‑50(a) of the 1976 Code is amended to read:

“(a) There is ~~hereby~~ created as an agency of state government the South Carolina Educator Improvement Task Force composed of ~~twelve~~ thirteen members. The State Superintendent of Education with the advice and consent of the State Board of Education shall appoint six members, one of whom may be himself, one of whom ~~shall~~must be a public school teacher and one of whom ~~shall~~must be a public school administrator. The Governor shall appoint ~~six~~ seven members, one from each congressional district and not less than two of whom ~~shall~~must be employed at state institutions of higher education and not less than one of whom is a member of a local school board. ~~The Governor, as soon as possible after all appointments are made, shall designate one of the twelve members of the Task Force to serve as a temporary chairman of the Task Force. The temporary chairman shall serve in that capacity for a period not to exceed six months and a permanent chairman shall then be elected by the membership of the Task Force.~~ ~~Any~~ A vacancy ~~shall~~must be filled in the manner of the original appointment. The members shall receive ~~such~~ per diem, mileage and subsistence as ~~is~~ provided by law for members of state boards, committees and commissions to be paid from funds appropriated for the operation of the State Department of Education. Every consideration ~~shall~~must be given to insure appropriate racial balance in appointments.”

SECTION 27. Section 59‑53‑610 of the 1976 Code is amended to read:

“Section 59‑53‑610. There is created the Denmark Technical College Area Commission which shall serve as the governing body of Denmark Technical College. The commission is a body politic and corporate and consists of eight members who ~~shall~~must be appointed in the manner ~~hereinafter specified~~ pursuant to this section. Two members must be residents of Allendale County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Allendale County. Two members must be residents of Bamberg County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Bamberg County. Two members must be residents of Barnwell County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Barnwell County. Two members ~~shall~~must be appointed at large without regard to county of residence by the Governor upon the advice and consent of the Senate. In addition, the member of the State Board for Technical and Comprehensive Education from the ~~third~~ sixth congressional district is a member of the commission ex officio. The members of the commission ~~shall~~must be appointed for terms of four years each and until their successors are appointed and qualify, except that the two at-large members shall serve initial terms of one year each, the two members from Allendale County shall serve initial terms of two years each, the two members from Bamberg County shall serve initial terms of three years each, and the two members from Barnwell County shall serve initial terms of four years each.

~~Any~~ A vacancy ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. As soon as possible after the initial appointments have been made, the commission shall organize by electing one of its members as chairman, one as vice chairman, and one as secretary. The terms of the initial appointees are extended so that all terms expire on the first of July of the appropriate year.”

SECTION 28. Section 63‑11‑700(A) of the 1976 Code is amended to read:

“(A) There is created, as part of the Office of the Governor, the Division for Review of the Foster Care of Children. The division must be supported by a board consisting of seven members, all of whom must be past or present members of local review boards. There must be one member from each congressional district ~~and one member from the State at large~~, all appointed by the Governor with the advice and consent of the Senate.”

SECTION 29. Section 63‑11‑920 of the 1976 Code is amended to read:

“Section 63‑11‑920. There is created the Board of Directors for the Children’s Trust Fund of South Carolina composed of seventeen members appointed by the Governor, ~~eleven~~ ten at large from the State from nominees of the Board of Directors of the Children’s Trust Fund, plus one from each of the state’s congressional districts. Members shall serve for terms of four years and until successors are appointed and qualify. Vacancies for any reason must be filled in the manner of the original appointment for the unexpired term.

Members may be paid per diem, mileage, and subsistence as established by the board not to exceed the amounts provided by law for state boards, committees, and commissions. A complete report of the activities of the trust fund must be made annually to the General Assembly.”

SECTION 30. Section 63‑19‑610(A) of the 1976 Code is amended to read:

“(A) (1) There is created ~~under the~~ ~~Department of Juvenile Justice~~ the Board of Juvenile Parole. The parole board is composed of ~~ten~~ seven members appointed by the Governor with the advice and consent of the Senate. ~~Of these members, one must be appointed from each of the six congressional districts and four members must be appointed from the State at large.~~ In making these appointments, the Governor shall select members who are representative of the racial, gender, and geographical diversity of the State. If a vacancy occurs on the parole board when the Senate is not in session, the Governor may appoint a member to fill the vacancy and the appointee is a de facto member until the Senate acts upon the appointment.

(2) The Department of Juvenile Justice shall continue to provide to the Board of Juvenile Parole the budgetary, fiscal, personnel, and training information resources and other support considered necessary by the parole board to perform its mandated functions.”

SECTION 31. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections on the subject of agencies, boards, commissions, or committees that fall under the jurisdiction of the South Carolina General Assembly, and whose membership is determined by congressional district.

SECTION 32. Due to the congressional redistricting, any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires. Further, the inability to hold an election or to make an appointment due to judicial review of the congressional districts does not constitute a vacancy.

SECTION 33. This act becomes effective upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

The question then was the adoption of the amendment.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Coleman Courson Davis

Fair Gregory Grooms

Hutto Jackson Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

**Total--0**

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

**AMENDED, READ THE SECOND TIME**

H. 3508 -- Reps. Gambrell, Sandifer, Harrell, Erickson, Limehouse, Weeks, H.B. Brown, Agnew, Allison, Anthony, Bales, Bannister, Bedingfield, Bingham, Brady, Brannon, G.A. Brown, Cole, Crosby, Forrester, Hardwick, Harrison, Hayes, Hiott, Hixon, Horne, Lowe, Lucas, McCoy, D.C. Moss, Owens, Parker, Pinson, Pitts, Skelton, J.E. Smith, J.R. Smith, Sottile, Tallon, Vick, White, Taylor, Hamilton, Battle, Allen, Dillard, Alexander, Cooper, Mack and Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO RETITLE ARTICLE 23, CHAPTER 9, TITLE 58, RELATING TO GOVERNMENT‑OWNED TELECOMMUNICATIONS SERVICE PROVIDERS AS “GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDERS”; BY ADDING SECTION 58‑9‑2660 SO AS TO PROVIDE A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER MAY PETITION THE PUBLIC SERVICE COMMISSION TO DESIGNATE ONE OR MORE AREAS AS AN “UNSERVED AREA”, TO SPECIFY THE PROCEDURE FOR MAKING AND PROTESTING THIS PETITION, TO PROVIDE FOR A HEARING OF A PROTEST TO A PETITION, TO PROVIDE FOR THE APPLICATION OF CERTAIN PROVISIONS OF LAW TO AN UNSERVED AREA, AND TO PROVIDE A PROCESS FOR PETITIONING FOR A DETERMINATION THAT AN AREA HAS CEASED TO BE AN UNSERVED AREA; TO AMEND SECTION 58‑9‑10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING TELEPHONE COMPANIES, SO AS TO MODIFY THE DEFINITION OF “BROADBAND SERVICE”; TO AMEND SECTION 58‑9‑2600, RELATING TO THE PURPOSE OF ARTICLE 23, CHAPTER 9, TITLE 58, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY THE SCOPE OF THE ARTICLE; TO AMEND SECTION 58‑9‑2610, RELATING TO DEFINITIONS CONCERNING GOVERNMENT‑OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 58‑9‑2620, AS AMENDED, RELATING TO DUTIES, RESTRICTIONS, RATE COMPUTATIONS, AND ACCOUNTING REQUIREMENTS OF GOVERNMENT‑OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES, TO GIVE THE OFFICE OF REGULATORY STAFF JURISDICTION TO INVESTIGATE THE COMPLIANCE OF A GOVERNMENT‑OWNED COMMUNICATIONS PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, TO PROVIDE THE COMMISSION MAY ENFORCE THE COMPLIANCE OF A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, AND TO CLARIFY THAT THIS SECTION DOES NOT EXPAND OR LIMIT THE JURISDICTION OF THE COMMISSION OR OFFICE OF REGULATORY STAFF WITH RESPECT TO ANY SERVICE PROVIDER OTHER THAN A GOVERNMENT‑OWNED COMMUNICATIONS SERVICE PROVIDER; TO AMEND SECTION 58‑9‑2630, RELATING TO CERTAIN TAX COLLECTIONS AND PAYMENTS, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 58‑9‑2650, AS AMENDED, RELATING TO LIABILITY INSURANCE RATES FOR COMMUNICATIONS OPERATIONS, SO AS TO MAKE CONFORMING CHANGES.

Senator COURSON asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

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

Senator MALLOY spoke on the Bill.

Senator MALLOY asked unanimous consent to take Amendment No. 10 up for immediate consideration.

There was no objection.

Senator MALLOY proposed the following amendment (JUD3508.024), which was adopted:

Amend the bill, as and if amended, by striking subsection 58-9-2670(C), lines 1-16 on page 12 and inserting:

/ (C)    The provisions of Sections 58-9-2620, 58-9-2630, 58-9-2650, and 58-9-2660 do not apply to any municipality that is a government-owned communications service provider and that: (i) applied, on or before December 31, 2011, for a grant for a last mile project pursuant to the Broadband Initiatives Program administered by the United States Department of Agriculture's Rural Utilities Service; (ii) expended funds in excess of $25,000 to complete business plans or feasibility studies in support of such application; and (iii) is awarded federal funds to support the project identified in the application referenced in item (i) of this subsection. The exemption provided in this subsection applies only to the extent that the municipality that is a government-owned communications service provider provides communications services to addresses that are within both the county in which the municipality is located and the area described in its grant application referenced in item (i) of this subsection or to addresses that are within the limits of the municipality that meets the requirements of this subsection, it being the specific intent that this subsection (C) shall apply to the entire geographic area described in any grant application that meets the requirements of this subsection as well as the entire area within the limits of any municipality that meets the requirement of this subsection. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

**Recorded Vote**

Senator FAIR desired to be recorded as voting against the adoption of the amendment.

Senator MALLOY asked unanimous consent to give the Bill a second reading, carrying over all amendments to third reading, and waiving the provisions of Rule 26B.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading, carrying over all amendments to third reading, and waiving the provisions of Rule 26B.

**LOCAL APPOINTMENTS**

**Confirmations**

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

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Douglas L. Novak, 181 Bluffton Road, Bluffton, SC 29910

Initial Appointment, Lee County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Shirley C. Davidson, 79 Garden Springs Drive, Bishopville, SC 29010 *VICE* Albert Bradley

Reappointment, Greenville County Board of Voter Registration, with the term to commence March 15, 2012, and to expire March 15, 2014

Joyce K. Hoffman, 100 Forestdale Drive, Taylors, SC 29687

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Chilton Grace Simmons, 15 Sunset Bluff, Beaufort, SC 29907

Reappointment, York County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Robert Davenport, Jr., 2211 Zinker Road, Rock Hill, SC 29732

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

Joseph S. Scarborough, Post Office Box 127, Lynchburg, SC 29080

Reappointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence June 30, 2012, and to expire June 30, 2016

City of Myrtle Beach:

Walt Whittier, 305 Sunset Trail, Myrtle Beach, SC 29577

Reappointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence June 30, 2012, and to expire June 30, 2016

Wilson Cain, 206 29th Ave. South, Myrtle Beach, SC 29577

Initial Appointment, Aiken County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Melanie James DuBose, 121 Academy Street, Monetta, SC 29105

Initial Appointment, Chesterfield County Magistrate, with the term to commence April 30, 2010, and to expire April 30, 2014

Diane W. Dyches, Post Office Box 115, Patrick, SC 29584

At 8:18 P.M., Senator COURSON moved that the Senate stand adjourned.

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

**Ayes 23; Nays 17**

**AYES**

Alexander Coleman Ford

Hutto Jackson Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Pinckney Rankin Reese

Ryberg Scott Setzler

Sheheen Williams

**Total--23**

**NAYS**

Bright Bryant Campbell

Campsen Cleary Courson

Davis Fair Gregory

Grooms Knotts *Martin, Shane*

Peeler Rose Shoopman

Thomas Verdin

**Total--17**

**MOTION ADOPTED**

On motion of Senator HAYES, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert K. Marshall, Sr. of Rock Hill, S.C.

**ADJOURNMENT**

At 8:19 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 10:30 A.M.

\* \* \*