**Tuesday, March 27, 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 PRESIDENT.

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

In Deuteronomy we are reminded to:

“Be strong and bold; have no fear...” (Deuteronomy 31:6)

Join me as we unite our hearts in prayer:

Glorious Lord, there is certainly enough in the news which causes us “to tremble, tremble, tremble.” Earthquakes in Mexico, violence on our streets, an unsettled global political picture, challenges with the economy -- such realities make for uneasy days and sleepless nights. So all the more do we thank You, O God, for these Senators and for their personal strengths, for their wisdom and their courage that carry us through difficult times. Continue to embolden them that they might effectively serve South Carolina and all South Carolinians thoughtfully and with care. In Your own strong name we pray, O Lord.

Amen.

**Point of Quorum**

At 12:03 P.M., Senator KNOTTS made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Anderson Bright Courson

Grooms Hayes Knotts

Leventis Lourie *Martin, Larry*

*Martin, Shane* Massey Peeler

Rose Setzler Sheheen

Shoopman

A quorum was not present.

**RECESS**

At 12:06 P.M., on motion of Senator PEELER, the Senate receded from business not to exceed three minutes.

At 12:10 P.M., the Senate resumed.

**Recorded Presence**

Senators HUTTO, SCOTT, VERDIN, O’DELL, ALEXANDER, DAVIS, RYBERG, BRYANT, NICHOLSON, LAND, WILLIAMS, FAIR, CLEARY, CAMPBELL, COLEMAN, GREGORY, JACKSON, MALLOY, SHOOPMAN, MATTHEWS, McGILL, REESE, FORD and THOMAS recorded their presence subsequent to the Call of the Senate.

A quorum being present, the Senate resumed.

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

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointment**

Initial Appointment, South Carolina Workers’ Compensation Commission, with the term to commence June 30, 2010, and to expire June 30, 2016

At-Large:

Melody L. James, 152 Golden Pond Drive, Lexington, SC 29073 *VICE* G. Bryan Lyndon

Referred to the Committee on Judiciary.

**Local Appointments**

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

Rebecca L. Adams, 56 Palmetto Wood Parkway, Irmo, SC 29063

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

Albert J. Dooley III, 408 Koewee Drive, Lexington, SC 29072

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

Brian W. Jeffcoat, 144 Walnut Lane, Columbia, SC 29212

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

Gary S. Morgan, 217 Peach Place Court, Gilbert, SC 29054

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

Arthur L. Myers, Post Office Box 61, Swansea, SC 29160

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

Thomas H. Rawl, 1360 Counts Ferry Road, Lexington, SC 29072

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

Gary Wayne Reinhart, 253 John Lindler Road, Chapin, SC 29036

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

Scott Dean Whittle, 4601 Fish Hatchery Road, Gaston, SC 29053

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4272

Agency: Board of Nursing

Chapter: 91

Statutory Authority: 1976 Code Sections 40-1-70 and 40-33-10(E) & (I)

SUBJECT: Fees and APRNs

Received by Lieutenant Governor February 7, 2012

Referred to Medical Affairs Committee

Legislative Review Expiration June 6, 2012

Withdrawn and Resubmitted March 22, 2012

**Doctor of the Day**

Senator CLEARY introduced Dr. Preston Wendell of Mt. Pleasant, S.C., Doctor of the Day.

**Leave of Absence**

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

**Leave of Absence**

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

**Leave of Absence**

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

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator HUTTO rose for an Expression of Personal Interest.

**CO-SPONSOR ADDED**

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

S. 1319 Sen. Matthews

**RECALLED**

H. 3117 -- Rep. King: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF CONSTITUTION BOULEVARD IN THE CITY OF ROCK HILL “DR. MARTIN LUTHER KING, JR. MEMORIAL BOULEVARD” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “DR. MARTIN LUTHER KING, JR. MEMORIAL BOULEVARD”.

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

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

**RECALLED AND COMMITTED**

H. 4710 -- Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Simrill, G.M. Smith and J.R. Smith: A JOINT RESOLUTION TO PROVIDE THAT THE PROVISIONS OF SECTION 6‑27‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON AMENDING OR REPEALING PROVISIONS IN THE STATE AID TO SUBDIVISIONS ACT ARE SUSPENDED FOR FISCAL YEAR 2012‑2013, AND TO PROVIDE THAT FOR FISCAL YEAR 2012‑2013 COUNTIES MAY TRANSFER AMONG APPROPRIATED STATE REVENUES AS NEEDED TO ENSURE THE DELIVERY OF SERVICES.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Judiciary

The Joint Resolution was recalled from the Committee on Judiciary.

On motion of Senator LARRY MARTIN, the Joint Resolution was committed to the Committee on Finance.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1372 -- Senator Rose: A BILL TO AMEND CHAPTER 1, TITLE 9 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA RETIREMENT SYSTEM, BY ADDING ARTICLE 2 TO CREATE THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL RETIREMENT STUDY COMMITTEE AND TO DESIGNATE APPOINTMENT OF MEMBERS, TO REQUIRE THE COMMITTEE TO STUDY THE RETIREMENT BENEFIT LEVELS FOR LEGISLATURES, CONSTITUTIONAL OFFICERS, AND JUDGES AND TO REQUIRE REPORTS AND RECOMMENDATIONS, AND TO PROVIDE FOR ADMINISTRATIVE SUPPORT, COSTS, AND THE TERMINATION DATE OF THE COMMITTEE.

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

S. 1373 -- Senator Rose: A BILL TO AMEND SECTION 8-13-100, RELATING TO THE DEFINITIONS APPLICABLE TO THE GENERAL PROVISIONS OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT, TO ELIMINATE THE DEFINITION OF “APPROPRIATE SUPERVISORY OFFICE”; TO AMEND SECTION 8-13-320, RELATING TO THE DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, TO INCLUDE THE MEMBERS, STAFF, AND CANDIDATES FOR THE GENERAL ASSEMBLY WITHIN THE JURISDICTION OF THE STATE ETHICS COMMISSION; TO AMEND SECTION 8-13-1300, RELATING TO THE DEFINITIONS APPLICABLE TO THE CAMPAIGN PRACTICES PROVISIONS OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT, TO ELIMINATE THE DEFINITION OF “APPROPRIATE SUPERVISORY OFFICE”; AND TO REPEAL SECTIONS 8-13-530, 8-13-540, AND 8-13-550, RELATING TO THE HOUSE OF REPRESENTATIVES AND SENATE ETHICS COMMITTEES.

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

S. 1374 -- Senator Sheheen: A BILL TO AMEND SECTION 6-11-260, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE ADOPTION OF A BUDGET FOR A SPECIAL PURPOSE DISTRICT, SO AS TO PROVIDE THAT THE BUDGET DOES NOT HAVE TO BE ESTIMATED AND SUBMITTED FOR APPROVAL TO THE COUNTY SUPERVISOR IF THE DISTRICT'S BOARD OF COMMISSIONERS IS ELECTED AND NOT APPOINTED; AND TO AMEND SECTION 6-11-270, RELATING TO LEVY, COLLECTION, AND DISBURSEMENT OF TAXES, SO AS TO PROVIDE THAT AN ELECTED BOARD OF COMMISSIONERS DOES NOT HAVE TO SEEK APPROVAL FROM THE COUNTY SUPERVISOR PRIOR TO LEVYING TAXES.

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

S. 1375 -- Senator Campsen: 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.

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

S. 1376 -- Senator Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-15-315 SO AS TO PROVIDE FOR OFF-SITE DISPLAYS OF AUTOMOBILES AND CERTAIN TRUCKS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS PROVISION.

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

S. 1377 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF NURSING, RELATING TO FEES AND APRNS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4272, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 3130 -- Reps. Brady, Stringer, Long, Butler Garrick and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-19-2470 SO AS TO CREATE THE OFFENSE OF SEXTING, TO PROVIDE FOR A CIVIL FINE AND THE CREATION OF AN EDUCATIONAL PROGRAM FOR A PERSON WHO COMMITS THE OFFENSE, TO PROVIDE FOR THE RESTRICTION OF A MINOR’S DRIVING PRIVILEGES UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE CERTAIN SAFEGUARDS FOR MINORS WHO COMMIT THE OFFENSE, AND TO PROVIDE FOR THE USE OF THE UNIFORM TRAFFIC TICKET FOR THE OFFENSE AND FOR JURISDICTION OVER THE OFFENSE IN THE MUNICIPAL OR MAGISTRATES COURT.

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

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.

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

H. 4513 -- Rep. Harrison: A BILL TO AMEND SECTION 43-35-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO REVISE THE MEMBERSHIP AND MAKE TECHNICAL CORRECTIONS; AND TO AMEND SECTION 43-35-330, RELATING TO THE DUTIES OF THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO REVISE THE DUTIES OF THE COUNCIL AND ADD THE REQUIREMENT THAT THE COUNCIL ANNUALLY PREPARE AND DISTRIBUTE TO THE MEMBERSHIP AND THE MEMBERS OF THE GENERAL ASSEMBLY A REPORT OF THE COUNCIL'S ACTIVITIES AND ACCOMPLISHMENTS FOR THE CALENDAR YEAR.

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

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.

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

H. 4726 -- Reps. Pitts, Parks and Pinson: A BILL 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 A RESIDENTIAL SUBDIVISION 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.

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

H. 4763 -- Reps. Sandifer, King, Butler Garrick and Parks: A BILL TO AMEND SECTION 32-7-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRENEED FUNERAL CONTRACT LICENSES, SO AS TO FURTHER PROVIDE FOR THE TERM OF THE LICENSE AND FOR THE USE OF LICENSE RENEWAL FEES; AND TO AMEND SECTION 32-7-100, AS AMENDED, RELATING TO UNLAWFUL VIOLATIONS OF LAW PERTAINING TO PRENEED FUNERAL CONTRACTS, SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS BASED ON THE AMOUNT OF MONEY OBTAINED OR SOUGHT TO BE OBTAINED WITH CERTAIN OFFENSES DECLARED TO BE MISDEMEANORS AND CERTAIN OFFENSES DECLARED TO BE FELONIES.

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

H. 4787 -- Reps. Brady and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 97 TO TITLE 38 SO AS TO ENACT THE “PORTABLE ELECTRONICS INSURANCE ACT”, TO PROVIDE CERTAIN DEFINITIONS RELATED TO PORTABLE ELECTRONICS INSURANCE, TO PROVIDE REQUIREMENTS RELATING TO THE SALE OF PORTABLE ELECTRONICS INSURANCE, TO PROVIDE CERTAIN DISCLOSURE REQUIREMENTS OF A VENDOR OF PORTABLE ELECTRONICS INSURANCE TO THE PROSPECTIVE CONSUMER OF THIS INSURANCE, TO PROVIDE PENALTIES FOR A VIOLATION, AND TO PROVIDE LICENSURE FEES AND SURCHARGES.

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

H. 4967 -- Ways and Means Committee: A BILL TO AMEND SECTION 9-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM (SCRS), SO AS TO PROVIDE FOR “CLASS THREE” MEMBERS OF SCRS WITH “CLASS THREE” MEMBERS MEANING AN EMPLOYEE MEMBER OF SCRS WITH AN EFFECTIVE DATE OF MEMBERSHIP AFTER JUNE 30, 2012; TO AMEND SECTIONS 9-1-10 FURTHER AND 9-1-1550, RELATING TO RETIREMENT BENEFITS UNDER THE SCRS, SO AS TO REVISE THE MANNER IN WHICH RETIREMENT BENEFITS FOR SCRS MEMBERS ARE COMPUTED AFTER JUNE 30, 2012, AND TO PROVIDE FOR AN ALTERNATE CALCULATION OF BENEFITS FOR SCRS MEMBERS AS OF JUNE 30, 2012, WHICH APPLIES IF THE MEMBER'S BENEFIT CALCULATED ON RETIREMENT AFTER JUNE 30, 2012, WOULD RESULT IN A LESSER AMOUNT; BY ADDING SECTION 9-1-1815 SO AS TO PROVIDE FOR THE MANNER IN WHICH RETIRED SCRS MEMBERS AND THEIR SURVIVING ANNUITANTS MAY RECEIVE INCREASED ALLOWANCES AND THE METHOD OF CALCULATING THAT INCREASE; AND TO REPEAL SECTION 9-1-1810 RELATING TO INCREASES IN SCRS RETIREMENT ALLOWANCES BASED ON THE CONSUMER PRICE INDEX; TO AMEND SECTION 9-1-1020, AS AMENDED, RELATING TO DEDUCTIONS FROM THE COMPENSATION OF MEMBERS OF SCRS TO FUND BENEFITS, THE TAX TREATMENT THEREOF, AND OTHER RELATED PROVISIONS, SO AS TO INCREASE ON JULY 1, 2012, THE REQUIRED DEDUCTIONS OF “CLASS ONE” SCRS MEMBERS TO SIX PERCENT OF EARNABLE COMPENSATION FROM FIVE AND ONE-HALF PERCENT AND THE REQUIRED DEDUCTIONS OF SCRS “CLASS TWO” AND “CLASS THREE” MEMBERS TO SEVEN PERCENT OF EARNABLE COMPENSATION FROM SIX AND ONE-HALF PERCENT AND TO INCREASE SUCH CONTRIBUTIONS BY AN ADDITIONAL ONE-HALF OF ONE PERCENT EFFECTIVE JULY 1, 2013, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 9-1-1080, RELATING TO EMPLOYER CONTRIBUTIONS FOR SCRS, SO AS TO PROVIDE FOR A MINIMUM EMPLOYER CONTRIBUTION RATE OF TEN AND SIX-TENTHS PERCENT OF EARNABLE COMPENSATION WHILE AN ACCRUED LIABILITY CONTRIBUTION IS REQUIRED; TO AMEND SECTION 9-1-1140, AS AMENDED, RELATING TO THE PURCHASE OF ADDITIONAL SERVICE CREDIT UNDER SCRS, SO AS TO PROVIDE THAT THE REQUIRED COST IS THE GREATER OF AN ACTUARIALLY NEUTRAL PAYMENT BASED ON THE SCRS MEMBER'S CURRENT AGE AND CREDITABLE SERVICE OR A SET PERCENTAGE OF SALARY AND TO ELIMINATE THE ADDITION OF UNUSED SICK LEAVE IN THE CALCULATION OF CREDITABLE SERVICE AFTER JUNE 30, 2012; TO AMEND SECTION 9-1-1510, AS AMENDED, RELATING TO THE REQUIREMENTS FOR A SCRS RETIREMENT ALLOWANCE, SO AS TO PROVIDE THAT A SCRS “CLASS THREE” MEMBER MUST HAVE AT LEAST THIRTY YEARS OF CREDITABLE SERVICE TO BE ELIGIBLE TO RETIRE AT ANY AGE WITHOUT A BENEFIT REDUCTION; TO AMEND SECTION 9-1-1515, AS AMENDED, RELATING TO THE REQUIREMENTS FOR EARLY RETIREMENT IN SCRS, SO AS TO CONFORM THE REQUIREMENTS OF THAT SECTION AS IT APPLIES FOR SCRS “CLASS THREE” MEMBERS; TO AMEND SECTION 9-1-1660, AS AMENDED, RELATING TO THE REQUIREMENTS FOR A NOMINEE OF A DECEASED ACTIVE SCRS MEMBER TO RECEIVE A RETIREMENT ALLOWANCE, SO AS TO CONFORM THE REQUIREMENTS OF THAT SECTION AS IT APPLIES FOR SCRS “CLASS THREE” MEMBERS; TO AMEND SECTION 9-1-2210, AS AMENDED, RELATING TO THE TEACHER AND EMPLOYEE RETENTION INCENTIVE (TERI) PROGRAM, SO AS TO CLOSE THE PROGRAM FOR SCRS “CLASS THREE” MEMBERS AND TO CONFORM THE CALCULATION OF RETIREMENT BENEFITS FOR TERI PARTICIPANTS; TO AMEND SECTION 9-9-60, AS AMENDED, RELATING TO RETIREMENT AND RETIREMENT ALLOWANCES FOR MEMBERS OF THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA (GARS), SO AS PROSPECTIVELY TO ELIMINATE PROVISIONS ALLOWING MEMBERS OF THE GENERAL ASSEMBLY WHO MEET CERTAIN AGE OR CREDITED SERVICE REQUIREMENTS OR WITH AGE AND CREDITED SERVICE REQUIREMENTS TO RECEIVE A GARS RETIREMENT BENEFIT WHILE CONTINUING TO SERVE IN THE GENERAL ASSEMBLY; TO AMEND SECTIONS 9-11-10 AND 9-11-60, BOTH AS AMENDED, RELATING TO DEFINITIONS AND ELIGIBILITY FOR RETIREMENT UNDER THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM (SCPORS), SO AS TO REVISE THE MANNER IN WHICH RETIREMENT BENEFITS FOR SCPORS MEMBERS RETIRING AFTER JUNE 30, 2012, ARE COMPUTED AND TO PROVIDE FOR AN ALTERNATE CALCULATION OF BENEFITS FOR SCPORS MEMBERS AS OF JUNE 30, 2012, WHICH APPLIES IF THE SCPORS MEMBER'S BENEFIT CALCULATED ON RETIREMENT AFTER JUNE 30, 2012, WOULD RESULT IN A LESSER AMOUNT; BY ADDING SECTION 9-11-312 SO AS TO PROVIDE FOR THE MANNER IN WHICH SCPORS RETIRED MEMBERS AND THEIR SURVIVING ANNUITANTS MAY RECEIVE INCREASED ALLOWANCES AND THE METHOD OF CALCULATING THAT INCREASE; AND TO REPEAL SECTION 9-11-310 RELATING TO COST OF LIVING ADJUSTMENTS UNDER SCPORS BASED ON THE CONSUMER PRICE INDEX; TO AMEND SECTION 9-11-50, AS AMENDED, RELATING TO THE PURCHASE OF ADDITIONAL SERVICE CREDIT UNDER SCPORS, SO AS TO PROVIDE THAT THE REQUIRED COST MUST BE THE GREATER OF AN ACTUARIALLY NEUTRAL PAYMENT BASED ON THE MEMBERS CURRENT AGE AND CREDITABLE SERVICE OR A SET PERCENTAGE OF SALARY AND TO ELIMINATE THE ADDITION OF UNUSED SICK LEAVE IN THE CALCULATION OF CREDITABLE SERVICE AFTER JUNE 30, 2012; TO AMEND SECTION 9-11-210, AS AMENDED, RELATING TO DEDUCTIONS FROM THE COMPENSATION OF MEMBERS OF SCPORS TO FUND BENEFITS, THE TAX TREATMENT THEREOF, AND OTHER RELATED PROVISIONS, SO AS TO INCREASE ON JULY 1, 2012, THE REQUIRED DEDUCTIONS OF SCPORS “CLASS TWO” MEMBERS TO SEVEN PERCENT OF EARNABLE COMPENSATION FROM SIX AND ONE-HALF PERCENT AND TO INCREASE SUCH CONTRIBUTIONS BY AN ADDITIONAL ONE-HALF OF ONE PERCENT EFFECTIVE JULY 1, 2013; TO AMEND SECTION 9-11-220, AS AMENDED, RELATING TO EMPLOYER CONTRIBUTIONS FOR SCPORS, SO AS TO PROVIDE FOR A MINIMUM EMPLOYER CONTRIBUTION RATE OF TWELVE AND THREE TENTHS PERCENT OF EARNABLE COMPENSATION WHILE AN ACCRUED LIABILITY CONTRIBUTION IS REQUIRED; BY ADDING SECTION 9-16-335 SO AS TO PROVIDE THAT THE ASSUMED ANNUAL RATE OF RETURN ON THE INVESTMENTS OF THE RETIREMENT SYSTEM MUST BE ESTABLISHED BY THE GENERAL ASSEMBLY AND EFFECTIVE JULY 1, 2012, THE ASSUMED ANNUAL RATE OF RETURN ON RETIREMENT SYSTEM INVESTMENTS IS SEVEN AND ONE-HALF PERCENT; AND TO AMEND SECTIONS 9-1-1135, 9-8-185, 9-9-175, AND 9-11-265, RELATING TO INTEREST ON MEMBER’S CONTRIBUTIONS IN SCRS, GARS, THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, AND SCPORS, SO AS TO PROVIDE THAT INTEREST IS NOT PAID ON INACTIVE ACCOUNTS, AND TO DEFINE "INACTIVE ACCOUNT".

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

H. 4983 -- Reps. Pope, King, Norman, Simrill, Delleney, Long and D. C. Moss: A BILL TO AMEND SECTION 50-11-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BIRD SANCTUARIES AND THE USE OF FIREARMS WITHIN THEIR BORDERS, SO AS TO REVISE THE BOUNDARIES OF CERTAIN BIRD SANCTUARIES IN YORK COUNTY.

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

H. 5006 -- Reps. G. A. Brown, Lowe, J. H. Neal, G. M. Smith and Weeks: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF INTERSTATE HIGHWAY 95 AND SOUTH CAROLINA HIGHWAY 341 IN SUMTER COUNTY IN HONOR OF NASCAR RACING LEGEND CALE YARBOROUGH AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “NASCAR RACING LEGEND CALE YARBOROUGH INTERCHANGE”.

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

H. 5026 -- Rep. J. E. Smith: A BILL 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.

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

H. 5027 -- Reps. Hodges, Bowers and R. L. Brown: A BILL 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.

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

H. 5028 -- Reps. G. M. Smith and White: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR FISCAL YEAR 2012-2013 TO TEMPORARILY SUSPEND ENFORCEMENT OF CERTAIN PROVISIONS OF THE MEDICAID NURSING HOME PERMIT LAW AND TO SET CERTAIN NURSING HOME STAFFING STANDARDS IN ORDER TO MEET APPROPRIATIONS.

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

H. 5042 -- Rep. Funderburk: A BILL TO AMEND SECTION 7-7-340, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN KERSHAW COUNTY, SO AS TO CONSOLIDATE THE “CAMDEN NO. 3” AND THE “CAMDEN NO. 4” PRECINCTS INTO THE “HOBKIRK'S HILL” PRECINCT, TO ADD THE “ELGIN NO. 6” PRECINCT, 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 referred to the Committee on Judiciary.

H. 5074 -- Reps. Corbin, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE BLUE RIDGE MIDDLE SCHOOL BATTLE OF THE BRAINS TEAM ON ITS OUTSTANDING WIN OF THE 2012 BATTLE OF THE BRAINS COMPETITION AND TO WISH ITS MEMBERS ALL THE BEST AS THEY COMPETE AT THE NATIONAL LEVEL IN JUNE.

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

**REPORT OF STANDING COMMITTEE**

Senator THOMAS from the Committee on Banking and Insurance polled out S. 1354 favorable:

S. 1354 -- Senators Bryant, Thomas, Rose, Bright, Cromer and Fair: A BILL TO AMEND SECTION 35-1-604 OF THE 1976 CODE, RELATING TO SECURITIES VIOLATIONS, TO REQUIRE ALL CEASE AND DESIST ORDERS ISSUED BY THE SECURITIES COMMISSIONER TO BE PUBLIC DOCUMENTS AND TO REQUIRE PUBLICATION ON THE ATTORNEY GENERAL’S WEBSITE.

**Poll of the Banking and Insurance Committee**

**Polled 16; Ayes 16; Nays 0; Not Voting 0**

**AYES**

Thomas Setzler Courson

Matthews Reese Hayes

Jackson *Martin, Larry* Rankin

Alexander Malloy O’Dell

Cromer Pinckney Ford

Davis

**Total--16**

**NAYS**

**Total--0**

**NOT VOTING**

**Total--0**

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., March 22, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Gilliard, Rutherford and Herbkersman to the Committee of Conference on the part of the House on:

H. 3527 -- Reps. Gilliard, McEachern, Spires, Butler Garrick, King, Jefferson, Sabb, Munnerlyn, V.S. Moss, Cobb‑Hunter, Herbkersman, Willis, Harrell, Pope, D.C. Moss, Norman, Hearn, Horne, Murphy, Bikas, Viers, Whipper and R.L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑970 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE TO BE A MEMBER OF AN INTERNET‑BASED SOCIAL NETWORKING WEBSITE AND TO PROVIDE A PENALTY.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 27, 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. 321 -- Senators O’Dell and Nicholson: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF GREENWOOD SCHOOL DISTRICT 50 IN GREENWOOD COUNTY, SO AS TO PROVIDE THAT IF THE NUMBER OF CANDIDATES FOR THE BOARD OF TRUSTEES IS EQUAL TO OR LESS THAN THE NUMBER OF POSITIONS TO BE FILLED, THE COUNTY ELECTION COMMISSION SHALL DECLARE THOSE CANDIDATES ELECTED.

Respectfully submitted,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 27, 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. 710 -- Senators Knotts, O’Dell, Ford, Alexander, Bryant and Setzler: A BILL TO AMEND SECTION 56‑1‑140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND CONTENTS OF A SOUTH CAROLINA DRIVER’S LICENSE, SO AS TO, UPON THE LICENSEE’S REQUEST AND PROOF OF ELIGIBILITY, INCLUDE A VETERAN STATUS DESIGNATION ON THE DRIVER’S LICENSE; AND TO AMEND SECTION 56‑1‑3350, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS, SO AS TO, UPON THE CARD HOLDER’S REQUEST AND PROOF OF ELIGIBILITY, INCLUDE A VETERAN STATUS DESIGNATION ON THE SPECIAL IDENTIFICATION CARD.

Respectfully submitted,

Speaker of the House

Received as information.

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

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

**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. 3221 -- Rep. Nanney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑53‑45 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO FILE ELECTRONICALLY ALL DOCUMENTS RELATING TO THE ENFORCED COLLECTION OF TAXES DUE THIS STATE WITH COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS IN THOSE COUNTIES WHICH ACCEPT ELECTRONIC FILINGS.

H. 4797 -- Rep. Norman: A BILL TO AMEND SECTION 5‑31‑230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MUNICIPALITIES IN WHICH THERE ARE NO BOARD OF COMMISSIONERS OF PUBLIC WORKS, SO AS TO INCLUDE THE CITY OF TEGA CAY.

**THIRD READING BILLS**

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

S. 45 -- Senators McConnell, Campsen and Ford: A BILL TO AMEND CHAPTER 15, TITLE 17 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 17‑15‑55, SO AS TO PROVIDE THAT THE CIRCUIT COURT SHALL CONSIDER MOTIONS REGARDING RECONSIDERATION OF BOND FOR GENERAL SESSIONS OFFENSES SET BY A SUMMARY COURT JUDGE; TO PROVIDE THAT FURTHER DEFENSE MOTIONS TO RECONSIDER BOND MAY BE HEARD BY THE CIRCUIT COURT ONLY UPON THE DEFENDANT’S PRIMA FACIE SHOWING OF A MATERIAL CHANGE IN CIRCUMSTANCE; TO PROVIDE THAT MOTIONS BY THE STATE TO REVOKE OR MODIFY A DEFENDANT’S BOND MUST BE MADE IN WRITING, STATE WITH PARTICULARITY THE GROUNDS FOR REVOCATION OR MODIFICATION, AND SET FORTH THE RELIEF OR ORDER SOUGHT; AND TO PROVIDE THAT, IF THE STATE’S MOTION TO REVOKE OR MODIFY BOND INCLUDES A PRIMA FACIE SHOWING OF IMMINENT DANGER TO THE COMMUNITY, OR IMMINENT DANGER TO THE DEFENDANT, OR FLIGHT BY THE DEFENDANT, THE CHIEF JUDGE OR PRESIDING JUDGE SHALL CONDUCT OR ORDER AN EMERGENCY HEARING WITHIN FORTY‑EIGHT HOURS.

S. 1268 -- Senators Peeler, Shoopman and Ford: A JOINT RESOLUTION TO PROVIDE THAT IN 2013 AND 2014, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN THE MANUFACTURER’S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SEVEN HUNDRED TWO DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER, AS AMENDED**

H. 3083 -- Reps. Pitts, Daning, Toole, G.M. Smith, Clyburn, Bingham, J.R. Smith, Huggins, Young, Taylor, Long, H.B. Brown, Ryan, Whipper and R.L. Brown: A BILL TO ENACT THE “SOUTH CAROLINA CONSERVATION BANK REAUTHORIZATION ACT” BY AMENDING ACT 200 OF 2002, WHICH ENACTED THE “SOUTH CAROLINA CONSERVATION BANK ACT” AND PROVIDED FOR ITS FUNDING, SO AS TO DELETE THE SUNSETTING OF THAT ACT OTHERWISE EFFECTIVE JULY 1, 2013, AND TO MAKE VARIOUS SECTIONS OF THAT ACT PERMANENT LAW BY DESIGNATING SECTIONS 3, 5, 6, 8, 10, AND 11 OF ACT 200 OF 2002, RELATING RESPECTIVELY TO THE PORTION OF THE DEED RECORDING FEE DEDICATED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, THE SUSPENSION OF DEED RECORDING FEE REVENUE IN CERTAIN CIRCUMSTANCES, CONSERVATION EASEMENTS, BIENNIAL REPORTS TO THE GENERAL ASSEMBLY, USE OF CONSERVATION BANK FUNDS FOR BEACH CONSERVATION, AND USE OF CONSERVATION BANK FUNDS TO ACQUIRE LAND FOR STATE PARKS AS SECTIONS 12‑24‑96, 48‑59‑65, 27‑8‑37, 48‑59‑150, 48‑59‑160, AND 48‑59‑170, ALL OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976.

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 (NBD\12239DG12), which was adopted:

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

/ SECTION 1. SECTION 7 of Act 200 of 2002 is amended to read:

“SECTION 7. Chapter 59, Title 48 of the 1976 Code and Sections 2 through 6 of this act are repealed effective July 1, ~~2013~~ 2018, unless reenacted or otherwise extended by the General Assembly. However, the South Carolina Conservation Bank established by this act may continue to operate as if Chapter 59, Title 49 of the 1976 Code was not repealed until the South Carolina Conservation Bank Trust Fund is exhausted or July 1, ~~2016~~ 2021, whichever first occurs. Any balance in that trust fund on July 1, ~~2016~~ 2021, reverts to the general fund of the State. Repeal does not affect any rights, obligations, liabilities, or debts due the South Carolina Conservation Bank. For these purposes, after the bank’s termination, the State Budget and Control Board is the bank’s successor, except that, after the bank’s termination, the board’s voting rights provided in the former provisions of Section 48‑59‑80(F), (G), (H), and (I) of the 1976 Code are devolved upon the Department of Natural Resources Board, and any contribution to the trust fund required pursuant to the former provisions of Section 48‑59‑80(H) of the 1976 Code must be made to the Heritage Trust Program.”

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

Renumber sections to conform.

Amend title to conform.

Senator O’DELL explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER, AS AMENDED**

H. 3720 -- Reps. Cooper, Henderson and Patrick: A BILL 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; BY ADDING SECTION 12‑6‑3411 SO AS TO PROVIDE THAT A CORPORATION ESTABLISHING A NATIONAL CORPORATE HEADQUARTERS OR EXPANDING OR ADDING TO AN EXISTING NATIONAL CORPORATE HEADQUARTERS IN THIS STATE, WHICH IN CONNECTION THEREWITH ADDS AT LEAST FIFTY NEW FULL‑TIME JOBS SHALL BE EXEMPT FROM PAYING STATE CORPORATE INCOME TAXES FOR A PERIOD OF TEN YEARS; 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; 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.

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 (MS\7731DG12), which was adopted:

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

/ SECTION 1. Section 12-36-2120 of the 1976 Code, as last amended by Act 280 of 2010, is further amended by adding an appropriately numbered subsection at the end to read:

“( )(A)(1) original or replacement computers, computer equipment, and computer hardware and software purchases used within a datacenter; and

(2) electricity used by a datacenter and eligible business property to be located and used at the datacenter. This subitem does not apply to sales of electricity for any other purpose, and such sales are subject to the tax, including, but not limited to, electricity used in administrative offices, supervisory offices, parking lots, storage warehouses, maintenance shops, safety control, comfort air conditioning, elevators used in carrying personnel, cafeterias, canteens, first aid rooms, supply rooms, water coolers, drink boxes, unit heaters and waste house lights.

(B) As used in this section:

(1) ‘Computer’ means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(2) ‘Computer equipment’ means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research. This also includes equipment cooling systems for managing the performance of the datacenter property, including mechanical and electrical equipment, hardware for distributed and mainframe computers and servers, data storage devices, network connectivity equipment, and peripheral components and systems.

(3) ‘Computer software’ means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(4) ‘Concurrently maintainable’ means capable of having any capacity component or distribution element serviced or repaired on a planned basis without interrupting or impeding the performance of the computer equipment.

(5) ‘Datacenter’ means a facility at a single location in South Carolina:

(i) that provides infrastructure for hosting or data processing services and that has power and cooling systems that are created and maintained to be concurrently maintainable and to include redundant capacity components and multiple distribution paths serving the computer equipment at the facility. Although the facility must have multiple distribution paths serving the computer equipment, a single distribution path may serve the computer equipment at any one time;

(ii)(a) where a taxpayer invests at least fifty million dollars in real or personal property over a five‑year period; or

(b) where one or more taxpayers invests a minimum aggregate capital investment of at least seventy-five million dollars in real or personal property or both over a five‑year period;

(iii) where a taxpayer creates and maintains at least twenty‑five full-time jobs at the facility with an average cash compensation level of one hundred fifty percent of the per capita income of the State or of the county in which the facility is located, whichever is lower, according to the most recently published data available at the time the facility is placed in service;

(iv) where the jobs created pursuant to subitem (iii) are maintained for three consecutive years after a facility with the minimum capital investment and number of jobs has been placed in service; and

(v) which is certified by the Department of Commerce prior to being placed in service under such policies and procedures as promulgated by the Department of Commerce.

(6) ‘Eligible business property’ means property used for the generation, transformation, transmission, distribution, or management of electricity, including exterior substations and other business personal property used for these purposes.

(7) ‘Multiple distribution paths’ means a series of distribution paths configured to ensure that failure on one distribution path does not interrupt or impede other distribution paths.

(8) ‘Redundant capacity components’ means components beyond those required to support the computer equipment.

(C)(1) To qualify for the exemption allowed by this item, a taxpayer, and the facility in the case of a seventy-five million dollar investment made by more than one taxpayer, shall notify the Department of Revenue and Department of Commerce, in writing, of its intention to claim the exemption. For purposes of meeting the requirements of subsection (B)(5)(ii) and (B)(5)(iii), capital investment and job creation begin accruing once the taxpayer notifies each department. Also, the five-year period begins upon notification.

(2) Once the taxpayer meets the requirements of subsection (B)(5), or at the end of the five-year period, the taxpayer shall notify the Department of Revenue, in writing, whether it has or has not met the requirements of subsection (B)(5). The taxpayer shall provide the proof the department determines necessary to determine that the requirements have been met.

(D)(1) Upon notifying each department of its intention to claim the exemption pursuant to subsection (C)(1), and upon certification by the Department of Commerce, the taxpayer may claim the exemption on eligible purchases at any time during the period provided in Section 12‑54‑85(F), including the time period prior to subsection (B)(5)(iv) being satisfied.

(2) For purposes of this section, the running of the periods of limitations for assessment of taxes provided in Section 12‑54‑85 is suspended for:

(i) the time period beginning with notice to each department pursuant to subsection (C)(1) and ending with notice to the Department of Revenue pursuant to subsection (C)(2); and

(ii) during the three year job maintenance requirement pursuant to subsection (B)(5)(iv).

(E) Any subsequent purchase of or investment in computer equipment, computer hardware and software, and computers, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption provided in this item, regardless of when the taxpayer makes the investments.

(F)(1) If a taxpayer receives the exemption for purchases but fails to meet the requirements of subsection (B)(5) at the end of the five-year period, the department may assess any state or local sales or use tax due on items purchased.

(2) If a taxpayer meets the requirements of subsection (B)(5), but subsequently fails to maintain the number of full-time jobs with the required compensation level at the facility, as previously required pursuant to subsection (B)(5)(iii), the taxpayer is:

(i) not allowed the exemption for items described in subsection (A)(1) until the taxpayer meets the previous qualifying jobs requirements pursuant to subsection (B)(5)(iii); and

(ii) allowed the exemption for electricity pursuant to subsection (A)(2), but the exemption only applies to a percentage of the sale price, calculated by dividing the number of qualifying jobs by twenty-five.

(G) This item only applies to a datacenter that is certified by the Department of Commerce pursuant to subsection (D)(1) and placed in service after July 1, 2012, and prior to January 1, 2032. However, this item shall continue to apply to a taxpayer that is certified and placed in service by December 31, 2031, for an additional ten-year period. Upon the end of the ten year period, this item is repealed.”

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

Renumber sections to conform.

Amend title to conform.

Senator O’DELL explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**AMENDED, READ THE SECOND TIME**

S. 1329 -- Senator Fair: A BILL TO AMEND SECTION 24‑21‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPOINTMENT OF THE DIRECTOR OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, AND THE MEMBERS OF THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE THAT THE MEMBER OF THE BOARD WHO IS APPOINTED ON AN AT‑LARGE BASIS MUST BE SELECTED FROM ONE OF THE CONGRESSIONAL DISTRICTS AND AT LEAST ONE APPOINTEE SHALL POSSESS THE QUALIFICATIONS THAT THE AT‑LARGE APPOINTEE FORMERLY MET.

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

Senator FAIR proposed the following amendment (SWB\  
5228CM12), which was adopted:

Amend the bill, as and if amended, Section 24‑21‑10(B) as contained in SECTION 1, by adding after the period on line 3, page 2:

/A person appointed to serve on the board to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, shall continue to serve until the expiration of the term. However, the Governor shall appoint an additional member to the board from any 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 the member has been transferred, the vacancy must not be filled until the full term of the transferred member expires. /

Renumber sections to conform.

Amend title to conform.

Senator FAIR 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 38; Nays 1**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Davis Elliott Fair

Gregory Grooms Hayes

Hutto Jackson Knotts

Land Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

Leventis

**Total--1**

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

**READ THE SECOND TIME**

S. 1367 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF MEDICAL EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4271, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Senator CLEARY explained the Joint Resolution.

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

**Ayes 36; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Davis Elliott

Fair Gregory Grooms

Hayes Hutto Jackson

Knotts Land Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

Bright Bryant

**Total--2**

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

**READ THE SECOND TIME**

S. 1368 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ADULT EDUCATION PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4199, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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

**Ayes 38; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Davis Elliott Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 781 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 97 TO TITLE 38 SO AS TO ENACT THE “PORTABLE ELECTRONICS INSURANCE ACT”, TO PROVIDE CERTAIN DEFINITIONS RELATED TO PORTABLE ELECTRONICS INSURANCE, TO PROVIDE REQUIREMENTS RELATING TO THE SALE OF PORTABLE ELECTRONICS INSURANCE, TO PROVIDE CERTAIN DISCLOSURE REQUIREMENTS OF A VENDOR OF PORTABLE ELECTRONICS INSURANCE TO THE PROSPECTIVE CONSUMER OF THIS INSURANCE, TO PROVIDE PENALTIES FOR A VIOLATION, AND TO PROVIDE LICENSURE FEES AND SURCHARGES.

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

H. 3730 -- Reps. Munnerlyn, Sabb, Vick, Hayes, Tribble and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑9‑450 SO AS TO PROVIDE THAT A COMMERCIAL FUR LICENSE, IN ADDITION TO A STATE HUNTING LICENSE IS REQUIRED OF ALL PERSONS WHO SELL OR TAKE FURBEARING ANIMALS BY ANY MEANS, EXCEPT A PROCESSOR, MANUFACTURER, OR RETAILER, AND TO PROVIDE THAT A PERSON UNDER THE AGE OF SIXTEEN MAY PURCHASE A COMMERCIAL FUR LICENSE WITHOUT HAVING TO PURCHASE A STATE HUNTING LICENSE AFTER COMPLETING THE TRAPPERS EDUCATION COURSE; TO AMEND SECTION 50‑11‑40, RELATING TO THE UNLAWFUL USE OF RECORDED SOUNDS OR AMPLIFIED IMITATIONS OF CALLS OR SOUNDS BY A PERSON TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS, SO AS TO DELETE THE PROVISION THAT MAKES IT UNLAWFUL TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE HUNTING AND TAKING OF COYOTES; TO AMEND SECTION 50‑11‑1080, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES DECLARING OPEN SEASON ON COYOTES, SO AS TO PROVIDE THAT THERE IS NO CLOSED SEASON FOR HUNTING OR TAKING COYOTES WITH WEAPONS; TO AMEND SECTION 50‑11‑2400, RELATING TO DEFINITIONS OF CERTAIN TERMS THAT PERTAIN TO THE TRAPPING OF FURBEARING ANIMALS, SO AS TO REVISE THE DEFINITION OF THE TERMS “FURBEARING ANIMAL” AND “COMMERCIAL PURPOSES”, AND TO PROVIDE DEFINITIONS FOR THE TERMS “OWNER” AND “AGENT”; TO AMEND SECTION 50‑11‑2430, RELATING TO REQUIRING A FUR TRAPPER TO CARRY PROOF THAT HE IS THE OWNER OF THE PROPERTY ON WHICH HE SETS HIS TRAPS, OR HAS PERMISSION FROM THE OWNER OF THE PROPERTY UPON WHICH HIS TRAPS ARE SET, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50‑11‑2440, RELATING TO REQUIRING A TRAPPER TO VISIT HIS TRAPS DAILY, SO AS TO MODIFY THE FREQUENCY THAT A TRAPPER MUST VISIT HIS TRAPS; TO AMEND SECTION 50‑11‑2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE BY THE OWNERS OF TRAPS, SO AS TO ALLOW A TRAP OWNER’S DESIGNEE TO REMOVE WILDLIFE FROM HIS TRAPS, AND TO PROVIDE THAT A DESIGNEE MUST POSSESS WRITTEN PERMISSION FROM THE TRAP’S OWNER TO ACT ON HIS BEHALF AND MUST MEET ALL COMMERCIAL FUR LICENSING REQUIREMENTS OR BE LISTED ON A VALID DEPREDATION PERMIT; TO AMEND SECTION 50‑11‑2460, RELATING TO CERTAIN TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT RESTRICTS THE TYPES OF TRAPS THAT ARE ALLOWED TO THOSE THAT ARE IN ACCORDANCE WITH APPROVED COMMERCIAL FUR LICENSES, TO ALLOW FOR THE USE OF LIVE TRAPS TO CAPTURE CERTAIN FERAL ANIMALS, TO REVISE THE SIZE OF FOOT‑HOLD TRAPS THAT ARE ALLOWABLE, TO PROVIDE THAT SMALL SNAP, BOX, AND OTHER TRAPS ARE ALLOWED FOR TRAPPING; TO AMEND SECTION 50‑11‑2475, RELATING TO THE ISSUANCE OF A FUR PROCESSOR’S LICENSE, SO AS TO REVISE THE COST OF THE LICENSE, TO REQUIRE A TAXIDERMIST TO KEEP A DAILY REGISTER OF THE NAME AND ADDRESS OF EACH PERSON FROM WHOM A FURBEARING ANIMAL IS RECEIVED ALONG WITH OTHER INFORMATION ABOUT THE ANIMAL, AND TO MAKE TECHNICAL CHANGES; AND TO REPEAL SECTIONS 50‑11‑1060, 50‑11‑1070, AND 50-11-2420 RELATING TO THE ISSUANCE OF A COMMERCIAL FUR LICENSE, THE ISSUANCE OF A PERMIT TO POISON PREDATORY ANIMALS, AND THE KILLING OF BOBCATS.

Senator HUTTO explained the Bill.

**Point of Order**

Senator BRIGHT raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT overruled the Point of Order.

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

**OBJECTIONS**

S. 1361 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE USE OF REFORMED MILITARY COMMISSIONS AT THE TRIAL OF ALLEGED TERRORISTS WHO WERE INVOLVED WITH ATTACKING INNOCENT AMERICANS, INTENTIONALLY CAUSING SERIOUS BODILY INJURIES, MURDER IN VIOLATION OF THE LAW OF WAR, AND PROVIDING MATERIAL SUPPORT OF TERRORISM.

Senator HUTTO objected.

S. 163 -- Senators Shoopman, Rose, Verdin and Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61‑4‑95 SO AS TO CREATE THE OFFENSES OF UNLAWFULLY PROVIDING BEER OR WINE TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY‑ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 61‑6‑4083 SO AS TO CREATE THE OFFENSES OF UNLAWFULLY PROVIDING ALCOHOLIC LIQUORS TO A PERSON UNDER THE AGE OF TWENTY‑ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY‑ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES.

Senator SHEHEEN objected.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MADE SPECIAL ORDER**

S. 836 -- Senators Grooms, Verdin, Knotts, Bright, Bryant, Courson, Campsen, McConnell, Cleary, Rose, Hayes, Shoopman, Massey, Campbell, Fair, Gregory and Cromer: 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.

Senator LARRY MARTIN moved that the Bill be made a Special Order.

The Bill was made a Special Order.

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, the Senate agreed to dispense with the Motion Period.

**LOCAL APPOINTMENTS**

**Confirmations**

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

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

Scott Dean Whittle, 4601 Fish Hatchery Road, Gaston, SC 29053

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

Gary S. Morgan, 217 Peach Place Court, Gilbert, SC 29054

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

Rebecca L. Adams, 56 Palmetto Wood Parkway, Irmo, SC 29063

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

Albert J. Dooley III, 408 Koewee Drive, Lexington, SC 29072

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

Brian W. Jeffcoat, 144 Walnut Lane, Columbia, SC 29212

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

Gary Wayne Reinhart, 253 John Lindler Road, Chapin, SC 29036

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

Arthur L. Myers, Post Office Box 61, Swansea, SC 29160

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

Thomas H. Rawl, 1360 Counts Ferry Road, Lexington, SC 29072

**MOTION ADOPTED**

On motion of Senators McGILL and CLEARY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Samuel Pyatt, Sr. of the Sandy Island Community, Pawleys Island, S. C., beloved father of Angelis P. Washington, Samuel Pyatt, Jr., Charles E. Pyatt, Perkeles Pyatt, Wendell Pyatt, Judge Isaac Pyatt, Carolyn F. Pyatt, Hazel P. Tanner and Pearl Wilson.

and

**MOTION ADOPTED**

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Claude Harris Cain, 86, of Westminster, S.C., beloved husband of the late Helen Lee Cain, devoted father and doting father and great-grandfather. He was a retired supervisor with Beacon Manufacturing, and served in the U.S. Navy during WWII. He was a former deacon and held numerous positions of leadership in Mount Pleasant Baptist Church.

**ADJOURNMENT**

At 12:57 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 2:00 P.M.

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