**Tuesday, April 17, 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 Genesis we read:

“After this, the word of the Lord came to Abram in a vision: ‘Do not be afraid, Abram. I am your shield, your very great reward’.”

(Genesis 15:1)

Please, let us bow in prayer together:

Holy God, You clearly blessed and guided Abram, later known as Your dedicated and faithful servant, Abraham. O Lord, we ask that, just as You granted a vision of what could be to Abraham, You do the same for each of these, Your servants in the Senate of South Carolina. May they be inspired to serve You well, O God. May they accomplish meaningful results for the people of this State. And may they all find themselves richly blessed by You. In Your loving name we pray, Lord. Amen.

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

**Point of Quorum**

At 12:02 P.M., Senator LEVENTIS made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander Anderson Bryant

Campbell Campsen Coleman

Courson Cromer Fair

Hayes Knotts Land

Leatherman Leventis *Martin, Larry*

Nicholson Peeler Rose

Ryberg Scott Setzler

Sheheen Shoopman Williams

A quorum being present, the Senate resumed.

**Recorded Presence**

Senators BRIGHT, CLEARY, DAVIS, ELLIOTT, FORD, GREGORY, GROOMS, HUTTO, JACKSON, LOURIE, MALLOY, MASSEY, MATTHEWS, McGILL, O’DELL, PINCKNEY, RANKIN, REESE, THOMAS and VERDIN recorded their presence subsequent to the Call of the Senate.

**Doctor of the Day**

Senator CAMPSEN introduced Dr. Louis Costa of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

At 2:30 P.M., Senator THOMAS requested a leave of absence until 3:00 P.M.

**CO-SPONSOR ADDED**

The following co-sponsor was added to the respective Bill:

S. 1395 Sen. Bright

**RECALLED AND COMMITTED**

H. 5058 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MASSAGE/BODYWORK THERAPY PANEL, RELATING TO QUALIFICATION FOR LICENSURE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4239, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator PEELER asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Medical Affairs.

The Joint Resolution was recalled from the Committee on Medical Affairs.

Senator PEELER asked unanimous consent to take the Joint Resolution up for immediate consideration.

There was no objection.

On motion of Senator PEELER, with unanimous consent, the Joint Resolution was committed to the Committee on Labor, Commerce and Industry.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1439 -- Senator Pinckney: A CONCURRENT RESOLUTION TO CONGRATULATE AND COMMEND THE HONORABLE MCKINLEY WASHINGTON, JR., ON THE OCCASION OF HIS RETIREMENT AFTER FIFTY YEARS OF FAITHFUL SERVICE AS PASTOR OF EDISTO PRESBYTERIAN CHURCH (U.S.A.) AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

S. 1440 -- Senator Pinckney: A SENATE RESOLUTION TO RECOGNIZE AND HONOR AINSLEY BREE DALEY OF JASPER COUNTY FOR HER OUTSTANDING ACADEMIC, EXTRACURRICULAR, AND COMMUNITY ENDEAVORS, AND TO CONGRATULATE HER FOR CAPTURING FIRST PLACE IN THE 2012 SENATOR FOR A DAY SPEECH CONTEST.

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The Senate Resolution was adopted.

S. 1441 -- Senator Pinckney: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE DEATH OF LUCILLE JACKSON GRANT OF CHARLESTON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1442 -- Senator Cromer: A SENATE RESOLUTION TO HONOR AND RECOGNIZE THE TOWN OF IRMO’S ARBOR DAY COMMITTEE AND STAFF FOR THEIR EFFORTS IN BEAUTIFICATION, ENVIRONMENTAL PROTECTION, AND PROVIDING LEADERSHIP IN ENHANCING THE QUALITY OF LIFE FOR THE RESIDENTS OF IRMO, LEXINGTON COUNTY, AND THE CITIZENS OF THE CENTRAL MIDLANDS.

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The Senate Resolution was adopted.

S. 1443 -- Senator O'Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 60, TITLE 40, SO AS TO ENACT THE “APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT”, TO PROVIDE A CITATION, TO PROVIDE CERTAIN DEFINITIONS, TO REQUIRE REGISTRATION FOR AN ENTITY ACTING AS AN APPRAISAL MANAGEMENT COMPANY, TO SPECIFY REGISTRATION REQUIREMENTS, TO PROVIDE EXEMPTIONS FROM REGISTRATION, TO SPECIFY THE TERM FOR WHICH REGISTRATION IS VALID AND FOR RENEWAL AND CANCELLATION OF REGISTRATIONS, TO PROVIDE FOR REGISTRATION FEES, TO LIMIT OWNERSHIP OF AN APPRAISAL MANAGEMENT COMPANY, TO REQUIRE AN APPLICANT FOR REGISTRATION TO DESIGNATE ONE CONTROLLING PERSON AS THE MAIN CONTACT BETWEEN THE COMPANY AND THE BOARD, TO PROVIDE REQUIREMENTS FOR A CONTROLLING PERSON ACTING AS A MAIN CONTACT BETWEEN A COMPANY AND THE BOARD, TO PROVIDE REQUIREMENTS RELATING TO THE USE AND PAYMENT OF INDEPENDENT APPRAISERS, TO SPECIFY CERTAIN REPORTING REQUIREMENTS OF AN APPRAISAL MANAGEMENT COMPANY, TO MAKE ATTEMPTS BY CERTAIN APPRAISAL MANAGEMENT COMPANY PERSONNEL TO INFLUENCE OR ATTEMPT TO INFLUENCE AN APPRAISAL IN A CERTAIN MANNER, TO PROHIBIT AN APPRAISAL MANAGEMENT COMPANY FROM CHANGING A COMPLETED APPRAISAL OR USING AN APPRAISAL REPORT OR ITS CONTENT PROVIDED BY AN INDEPENDENT APPRAISER IN ANOTHER TRANSACTION, TO PROVIDE RESTRICTIONS ON THE REMOVAL OF AN INDEPENDENT APPRAISER FROM THE APPRAISER PANEL BY AN APPRAISAL MANAGEMENT COMPANY, TO PROVIDE CERTAIN PENALTIES AND REMEDIES THE BOARD MAY IMPOSE FOR A VIOLATION OF THE ARTICLE, TO PROVIDE SURETY BOND REQUIREMENTS FOR AN APPRAISAL MANAGEMENT COMPANY, AND TO PROVIDE THE BOARD MAY PROVIDE ADJUDICATORY PROCEEDINGS PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT; TO AMEND SECTION 40-60-10, RELATING TO THE REAL ESTATE APPRAISERS BOARD, SO AS TO INCREASE THE MEMBERSHIP OF THE BOARD BY TWO MEMBERS; AND TO DESIGNATE SECTIONS 40-60-5 THROUGH 40-60-230 AS ARTICLE 1 OF CHAPTER 60, TITLE 40, ENTITLED “REAL ESTATE APPRAISERS”, AND TO RETITLE CHAPTER 60, TITLE 40 AS THE “REAL ESTATE APPRAISAL PROFESSIONALS ACT”.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1444 -- Senator Cromer: A BILL TO AMEND SECTION 50-5-1506, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROVISIONS THAT THE SEASONS, TIMES, METHODS, EQUIPMENT, SIZE LIMITS, AND THE LIMITS IN COMMERCIAL FISHING FOR SHAD, SO AS TO REVISE THESE PROVISIONS.

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

S. 1445 -- Senator Land: A JOINT RESOLUTION TO PROVIDE THAT CERTAIN NONRESIDENTS MAY OBTAIN A LIFETIME COMBINATION LICENSE FROM THE DEPARTMENT OF NATURAL RESOURCES UNDER CERTAIN CONDITIONS WHICH GRANTS THE SAME PRIVILEGES AS A STATEWIDE COMBINATION LICENSE DURING A SPECIFIED PERIOD.

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

S. 1446 -- Senator Hutto: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BISHOP DR. RAYMOND BROWN, PASTOR AND FOUNDER OF SPIRITUAL BIRTH MINISTRIES, INTERNATIONAL, AND TO CONGRATULATE HIM FOR TEN YEARS OF DEDICATED SERVICE TO THE NEEDS OF ORANGEBURG.

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The Senate Resolution was adopted.

S. 1447 -- Senators O'Dell and Nicholson: A SENATE RESOLUTION TO HONOR DAISY UNIFORMS OF GREENWOOD ON BEING NAMED THE 2012 SMALL BUSINESS ADMINISTRATION JEFFREY BUTLAND FAMILY-OWNED BUSINESS OF THE YEAR FOR SOUTH CAROLINA AND TO CONGRATULATE CO-OWNER STEFANIE BOWEN ON THE OUTSTANDING ENTREPRENEURSHIP THAT EARNED DAISY UNIFORMS THE AWARD.

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The Senate Resolution was adopted.

S. 1448 -- Senators O'Dell and Nicholson: A SENATE RESOLUTION TO HONOR DAISY UNIFORMS OF GREENWOOD ON BEING NAMED THE 2012 SMALL BUSINESS ADMINISTRATION JEFFREY BUTLAND FAMILY-OWNED BUSINESS OF THE YEAR FOR SOUTH CAROLINA AND TO CONGRATULATE CO-OWNER JASON BOWEN ON THE OUTSTANDING ENTREPRENEURSHIP THAT EARNED DAISY UNIFORMS THE AWARD.

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The Senate Resolution was adopted.

S. 1449 -- Senator O'Dell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JEAN MARTIN FOR HER YEARS OF DEVOTED SERVICE TO THE TOWN OF BELTON.

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The Senate Resolution was adopted.

S. 1450 -- Senators O'Dell and Nicholson: A SENATE RESOLUTION TO CONGRATULATE JOSCYNTHIA MASON OF GREENWOOD FOR BEING NAMED 2012 SMALL BUSINESS ADMINISTRATION WOMEN IN BUSINESS CHAMPION OF THE YEAR FOR SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1451 -- Senators O'Dell and Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JAMES MANLEY, JR., SHAREHOLDER WITH THE TAX, ASSURANCE, AND CONSULTING SERVICES FIRM ELLIOTT DAVIS, LLC, WHERE HE HEADS ITS GREENWOOD OFFICE'S ACCOUNTING RESOURCES PRACTICE, AND TO CONGRATULATE HIM UPON BEING NAMED THE 2012 SOUTH CAROLINA FINANCIAL SERVICES CHAMPION BY THE SMALL BUSINESS ADMINISTRATION.

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The Senate Resolution was adopted.

S. 1452 -- Senators O'Dell and Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SANDI MCCLAIN, OWNER OF SUGAR BOUTIQUE ON WALLER AVENUE IN GREENWOOD, AND TO CONGRATULATE HER UPON BEING NAMED THE 2012 YOUNG ENTREPRENEUR OF THE YEAR BY THE SMALL BUSINESS ADMINISTRATION.

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The Senate Resolution was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator RYBERG from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 1107 -- Senators Leventis, Hayes and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑1‑77 SO AS TO PROVIDE A BOARD OR COMMISSION THAT REGULATES THE LICENSURE OF A PROFESSION OR OCCUPATION UNDER TITLE 40 MAY ISSUE A TEMPORARY LICENSE FOR A PROFESSION OR OCCUPATION IT REGULATES TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES IN CERTAIN CIRCUMSTANCES, TO PROVIDE REQUIREMENTS FOR OBTAINING THIS LICENSE, AND TO PROVIDE TIME LIMITS ON THE VALIDITY OF THIS LICENSE.

Ordered for consideration tomorrow.

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

S. 1108 -- Senators Leventis, Hutto, Williams, Elliott, Matthews, O’Dell and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37‑3‑414 SO AS TO PROVIDE THAT A VIOLATION OF FEDERAL LAW AS TO CERTAIN CONSUMER LOAN TRANSACTIONS IS A VIOLATION OF STATE LAW.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Agriculture and Natural Resources polled out S. 1328 favorable:

S. 1328 -- Senator Verdin: A BILL TO AMEND ARTICLE 11, CHAPTER 9, TITLE 48 OF THE 1976 CODE, RELATING TO SOIL AND WATER CONSERVATION DISTRICT COMMISSIONERS AND THE POWERS OF THE COMMISSIONERS AND THE DISTRICTS, BY ADDING SECTION 48‑9‑1330 TO PROVIDE FOR AN EXEMPTION FOR APPOINTED COMMISSIONERS FROM FINANCIAL DISCLOSURE REQUIREMENTS CONTAINED IN ARTICLE 11, CHAPTER 13, TITLE 8.

**Poll of the Agriculture and Natural Resources Committee**

**Polled 17; Ayes 11; Nays 2; Not Voting 4**

**AYES**

Verdin Grooms Leventis

Matthews McGill Hutto

Elliott Byant Williams

Campbell Davis

**Total--11**

**NAYS**

Knotts Bright

**Total--2**

**NOT VOTING**

Campsen Gregory Rose

Sheheen

**Total--4**

Ordered for consideration tomorrow.

Senator RYBERG from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 1340 -- Senator Malloy: A BILL TO AMEND SECTION 41‑15‑520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMEDIES OF EMPLOYEES ALLEGING DISCRIMINATION, SO AS TO PROVIDE PROCEDURES THE DIRECTOR OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL FOLLOW UPON RECEIPT OF A COMPLAINT ALLEGING SUCH DISCRIMINATION.

Ordered for consideration tomorrow.

Senator RYBERG from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

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: A BILL 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 AND EVERY SUPPLIER.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

S. 1437 -- Senators Lourie, Land, L. Martin, Setzler and Thomas: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LLOYD I. HENDRICKS OF COLUMBIA, PRESIDENT AND CEO OF THE SOUTH CAROLINA BANKERS ASSOCIATION, UPON THE OCCASION OF HIS RETIREMENT AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

S. 1411 -- Senators L. Martin, Knotts and Nicholson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 23, 2012, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2016; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE ELEVENTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013 AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2019.

Returned with concurrence.

Received as information.

**RECESS**

At 11:55 A.M., the Senate receded from business for the purpose of attending the Joint Assembly.

**JOINT ASSEMBLY**

**Election of Successors to Boards of Trustees**

**of State Colleges and Universities**

At 12:00 Noon the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that the Joint Assembly had convened under the terms of a Concurrent Resolution adopted by both Houses, S. 1343.

The PRESIDENT announced that elections were in order to elect successors to Boards of Trustees of State Colleges and Universities.

**Election to Two At-Large Positions**

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

The PRESIDENT announced that nominations were in order to elect a successor to two at-large positions on the Board of Trustees for The Citadel.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Col. Allison Dean Love, Mr. Peter M. McCoy, Sr., Mr. Lamont André Melvin and Mr. Jeffrey C. Stevenson had been screened and found qualified to serve.

Senator KNOTTS placed the names of Col. Allison Dean Love, Mr. Peter M. McCoy, Sr. and Mr. Jeffrey C. Stevenson in nomination.

On motion of Senator KNOTTS, with unanimous consent, the name of Mr. Lamont André Melvin was withdrawn from consideration.

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

The following named Senators voted for Col. Love:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--44**

The following named Senators voted for Mr. McCoy:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--44**

The following named Senators voted for Mr. Stevenson:

**Total--0**

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

The following named Representatives voted for Col. Love:

Agnew Alexander Allen

Allison Anderson Anthony

Atwater Bales Ballentine

Bannister Barfield Battle

Bedingfield Bingham Bowen

Brady Branham Brannon

Brantley G. A. Brown R. L. Brown

Butler Gar Chumley Clemmons

Cobb-Hunter Cole Corbin

Crawford Crosby Daning

Delleney Dillard Erickson

Forrester Frye Funderburk

Gambrell Gilliard Govan

Hamilton Hardwick Harrell

Harrison Hayes Hearn

Henderson Herbkersman Hiott

Hixon Hodges Horne

Howard Huggins Jefferson

Johnson King Knight

Limehouse Loftis Long

Lowe Mack McCoy

McEachern McLeod Merrill

D. C. Moss V. S. Moss Munnerlyn

Murphy Nanney J. H. Neal

J. M. Neal Norman Ott

Owens Parker Parks

Pinson Pitts Pope

Putnam Quinn 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 Weeks White

Whitmire Williams Willis

Young

**Total--109**

The following named Representatives voted for Mr. McCoy:

Agnew Alexander Allen

Allison Anderson Anthony

Atwater Bales Ballentine

Bannister Barfield Battle

Bedingfield Bingham Bowen

Brady Branham Brannon

Brantley G. A. Brown R. L. Brown

Butler Gar Chumley Clemmons

Clyburn Cobb-Hunter Cole

Corbin Crawford Crosby

Daning Delleney Dillard

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 Mack McCoy

McEachern McLeod Merrill

D. C. Moss V. S. Moss Munnerlyn

Murphy Nanney J. H. Neal

J. M. Neal Norman Ott

Owens Parker Parks

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 Weeks

White Whitmire Williams

Willis Young

**Total--113**

The following named Representatives voted for Mr. Stevenson:

**Total--0**

**RECAPITULATION**

Total number of Senators voting 44

Total number of Representatives voting 113

Grand Total 157

Necessary to a choice 79

Of which Col. Love received 153

Of which Mr. McCoy received 157

Of which Mr. Stevenson received 0

Whereupon, the PRESIDENT announced that the Honorable Allison Dean Love and Mr. Peter M. McCoy were elected to two at-large positions on the Board of Trustees for The Citadel for the terms prescribed by law.

**Election to Three At-Large Positions**

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

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

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Dr. Ronald Lee, Dr. Louis B. Lynn, Mr. Robert L. Peeler and Admiral William L. Schachte, Jr. had been screened and found qualified to serve.

Senator KNOTTS placed the names of Dr. Ronald Lee, Dr. Louis B. Lynn, Mr. Robert L. Peeler and Admiral William L. Schachte, Jr. in nomination.

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

The following named Senators voted for Dr. Lee:

Alexander Anderson Bright

Bryant Campbell Cleary

Cromer Davis Fair

Hayes Hutto Knotts

Leventis Malloy *Martin, Larry*

Massey Matthews McGill

Peeler Reese Rose

Ryberg Setzler Shoopman

Williams

**Total--25**

The following named Senators voted for Dr. Lynn:

Alexander Anderson Campsen

Coleman Courson Elliott

Fair Ford Gregory

Grooms Hutto Jackson

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Ryberg Scott Setzler

Sheheen Thomas Verdin

Williams

**Total--34**

The following named Senators voted for Mr. Peeler:

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--43**

The following named Senators voted for Adm. Schachte:

Bright Bryant Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Ford Gregory

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Lourie Nicholson

O'Dell Pinckney Rankin

Rose Scott Sheheen

Shoopman Thomas Verdin

**Total--30**

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

The following named Representatives voted for Dr. Lee:

Alexander Anthony Atwater

Bales Ballentine Bannister

Barfield Bedingfield Bowen

Bowers Brady Branham

Brannon G. A. Brown Chumley

Clemmons Clyburn Cole

Corbin Crawford Delleney

Erickson Forrester Frye

Gambrell Govan Hamilton

Hardwick Hearn Henderson

Herbkersman Hiott Hixon

Hodges Hosey Huggins

Johnson Loftis Long

Lowe McCoy McEachern

D. C. Moss V. S. Moss Murphy

J. M. Neal Neilson Norman

Ott Owens Pinson

Pitts Pope Putnam

Rutherford Ryan Sabb

Sandifer Sellers Simrill

Skelton G. M. Smith G. R. Smith

J. R. Smith Sottile Southard

Spires Stringer Tallon

Taylor Thayer Toole

Tribble White Whitmire

Willis Young

**Total--77**

The following named Representatives voted for Dr. Lynn:

Agnew Alexander Allen

Allison Anderson Anthony

Atwater Bales Ballentine

Bannister Barfield Battle

Bedingfield Bingham Bowen

Bowers Brady Branham

Brannon Brantley G. A. Brown

R. L. Brown Butler Gar Chumley

Clemmons Clyburn Cobb-Hunter

Cole Crosby Daning

Dillard Forrester Frye

Funderburk Gambrell Gilliard

Govan Hamilton Hardwick

Harrell Harrison Hart

Hayes Hearn Henderson

Hiott Hixon Hodges

Horne Hosey Howard

Huggins Jefferson Johnson

King Knight Limehouse

Mack McCoy McEachern

McLeod V. S. Moss Munnerlyn

Murphy J. H. Neal J. M. Neal

Neilson Ott Owens

Parker Parks Pinson

Putnam Quinn Rutherford

Ryan Sabb Sandifer

Sellers Skelton G. M. Smith

G. R. Smith J. E. Smith J. R. Smith

Spires Stavrinakis Stringer

Tallon Taylor Weeks

White Whitmire Williams

Willis Young

**Total--95**

The following named Representatives voted for Mr. Peeler:

Agnew Alexander Allen

Allison Anderson Anthony

Atwater Ballentine Bannister

Barfield Battle Bedingfield

Bingham Bowen Bowers

Brady Branham Brannon

Brantley G. A. Brown R. L. Brown

Butler Gar Chumley Clemmons

Clyburn Cole Corbin

Crawford Crosby Daning

Delleney Dillard Erickson

Forrester Funderburk Gambrell

Gilliard Govan Hamilton

Hardwick Harrell Harrison

Hart Hayes Hearn

Henderson Herbkersman Hiott

Hixon Hodges Horne

Huggins Jefferson Johnson

Knight Limehouse Loftis

Long Lowe McEachern

McLeod Merrill D. C. Moss

V. S. Moss Munnerlyn Murphy

J. M. Neal Neilson Norman

Ott Owens Parker

Parks 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

Weeks White Whitmire

Willis Young

**Total--104**

The following named Representatives voted for Adm. Schachte:

Agnew Allen Allison

Anderson Bales Battle

Bingham Brantley R. L. Brown

Butler Gar Cobb-Hunter Corbin

Crawford Crosby Daning

Delleney Dillard Erickson

Frye Funderburk Gilliard

Harrell Harrison Hart

Hayes Herbkersman Horne

Hosey Howard Jefferson

King Knight Limehouse

Loftis Long Lowe

Mack McCoy McLeod

Merrill D. C. Moss Munnerlyn

Nanney J. H. Neal Norman

Parker Parks Pitts

Pope Quinn Simrill

J. E. Smith Sottile Southard

Stavrinakis Thayer Toole

Tribble Weeks Williams

**Total--60**

**RECAPITULATION**

Total number of Senators voting 44

Total number of Representatives voting 115

Grand Total 159

Necessary to a choice 80

Of which Dr. Lee received 102

Of which Dr. Lynn received 129

Of which Mr. Peeler received 147

Of which Adm. Schachte received 90

Whereupon, the PRESIDENT announced that the Honorable Ronald Lee, the Honorable Louis B. Lynn and the Honorable Robert L. Peelerwere elected to the three at‑large positions on the Board of Trustees for Clemson University for the terms prescribed by law.

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

**University of South Carolina, 2nd Judicial Circuit**

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

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

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

Whereupon, the PRESIDENT announced that the Honorable Miles Loadholt was elected to a position on the Board of Trustees for the University of South Carolina, 2nd Judicial Circuit for the term prescribed by law.

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

**University of South Carolina, 4th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 4th Judicial Circuit.

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

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

Whereupon, the PRESIDENT announced that the Honorable Eugene P. Warr was elected to a position on the Board of Trustees for the University of South Carolina, 4th Judicial Circuit for the term prescribed by law.

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

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

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

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

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

Whereupon, the PRESIDENT announced that the Honorable Hubert F. Mobley was elected to a position on the Board of Trustees for the University of South Carolina, 6th Judicial Circuit for the term prescribed by law.

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

**University of South Carolina, 8th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 8th Judicial Circuit.

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mr. A. C. “Bubba” Fennell III had been screened and found qualified to serve and placed his name in nomination.

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

Whereupon, the PRESIDENT announced that the Honorable A. C. “Bubba” Fennell III was elected to a position on the Board of Trustees for the University of South Carolina, 8th Judicial Circuit for the term prescribed by law.

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

**University of South Carolina, 10th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 10th Judicial Circuit.

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

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

Whereupon, the PRESIDENT announced that the Honorable D. Chuck Allen was elected to a position on the Board of Trustees for the University of South Carolina, 10th Judicial Circuit for the term prescribed by law.

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

**University of South Carolina, 14th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 14th Judicial Circuit.

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

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

Whereupon, the PRESIDENT announced that the Honorable William W. Jones, Jr. was elected to a position on the Board of Trustees for the University of South Carolina, 14th Judicial Circuit for the term prescribed by law.

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

**University of South Carolina, 15th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 15th Judicial Circuit.

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

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

Whereupon, the PRESIDENT announced that the Honorable J. Egerton Burroughs was elected to a position on the Board of Trustees for the University of South Carolina, 15th Judicial Circuit for the term prescribed by law.

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

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

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

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

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

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

**Election to the Board of Trustees for Three At-Large Positions**

**at the Wil Lou Gray Opportunity School**

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

Senator KNOTTS, on behalf of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mrs. Doris Adams, Mr. Bryan England and Ms. Mary Frances “Frankie” Newman had been screened and found qualified to serve and placed their names in nomination.

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

Whereupon, the PRESIDENT announced that the the Honorable Doris Adams, the Honorable Bryan England and the Honorable Mary Frances “Frankie” Newman were elected to the three at-large positions on the Board of Trustees for the Wil Lou Gray Opportunity School for the terms prescribed by law.

Immediately following the elections of successors to Boards of Trustees of State Colleges and Universities, the Joint Assembly proceeded to the election to the South Carolina Department of Employment and Workforce Appellate Panel.

**Election to the South Carolina Department of Employment and Workforce Appellate Panel**

The PRESIDENT of the Senate called the Joint Assembly to order and announced that the Joint Assembly had convened under the terms of a Concurrent Resolution adopted by both Houses, S. 1343.

The PRESIDENT announced that elections were in order to elect three successors to three at-large positions on the South Carolina Department of Employment and Workforce Appellate Panel.

Senator RYBERG, on behalf of the Committee to Screen Candidates for the South Carolina Department of Employment and Workforce Appellate Panel, indicated that Ms. Evelyn Belicia Ayers, Mr. Tim Dangerfield, Mr. Stephen Kelly, Jr. and Mr. Richard S. Thompson had been screened and found qualified to serve.

On motion of Senator RYBERG, the name of Mr. Thompson was withdrawn from consideration.

On motion of Senator RYBERG, the names of Ms. Evelyn Belicia Ayers, Mr. Tim Dangerfield and Mr. Stephen Kelly, Jr. were placed in nomination.

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

Whereupon, the PRESIDENT announced that the Honorable Evelyn Belicia Ayers, Seat #1; the Honorable Tim Dangerfield, Seat #2; and the Honorable Stephen Kelly, Jr., Seat #3 were elected to the South Carolina Department of Employment and Workforce Appellate Panel for the terms prescribed by law.

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

At 1:15 P.M., the Senate resumed.

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

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.

On motion of Senator SHEHEEN, with unanimous consent, the Bill was read the third time and ordered enrolled for Ratification.

**HOUSE BILLS RETURNED**

The following House Bills were read the third time and ordered returned to the House with amendments:

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.

Senator CAMPBELL explained the Bill.

H. 4205 -- Reps. Funderburk, G.A. Brown and Lucas: A BILL TO AMEND ARTICLE 8, CHAPTER 36, TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CORPORATIONS NOT‑FOR‑PROFIT PROVIDING WATER SERVICE FINANCED BY FEDERAL OR STATE LOANS BEING PERMITTED TO CONVERT TO A PUBLIC SERVICE DISTRICT, BY ADDING SECTION 33‑36‑1315, SO AS TO PROVIDE FOR ADDITIONAL CONVERSION PROVISIONS, TERMS, AND LIMITATIONS FOR NONPROFIT CORPORATIONS OF A CERTAIN SIZE THAT PROVIDE WATER SERVICE IN TWO OR MORE COUNTIES; AND TO AMEND SECTION 33‑36‑1330, RELATING TO THE GOVERNING BOARD AND STRUCTURE OF A CORPORATION WHICH HAS BEEN CONVERTED TO A PUBLIC SERVICE DISTRICT, SO AS TO PROVIDE FOR THE GOVERNING STRUCTURE OF A PUBLIC SERVICE DISTRICT OF A CERTAIN SIZE THAT PROVIDES SERVICE IN TWO OR MORE COUNTIES.

**Statement by Senator SHEHEEN**

    I abstained from the consideration of and voting on matters pertaining to H. 4205.

**THIRD READING BILLS**

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

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

Senator HAYES explained the Bill.

S. 1042 -- Senator Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑29‑65 SO AS TO PROVIDE THAT BEGINNING WITH SCHOOL YEAR 2012‑2013, ALL MIDDLE AND HIGH SCHOOLS OF THIS STATE SHALL PROVIDE AT LEAST THREE HOURS OF INSTRUCTION EACH YEAR TO ITS STUDENTS IN EACH GRADE AT THE BEGINNING OF THE SCHOOL YEAR ABOUT CRIMINAL CONDUCT OR OTHER ACTIONS MOST COMMONLY COMMITTED BY OR INVOLVING SCHOOL‑AGED CHILDREN OR YOUNG ADULTS THAT COULD RESULT IN INCARCERATION IN A FEDERAL, STATE, OR LOCAL PRISON OR DETENTION FACILITY WHETHER THE CONDUCT OR ACTIONS ARE COMMITTED AS A JUVENILE OR AS AN ADULT, AND TO PROVIDE FOR PROCEDURES AND OTHER REQUIREMENTS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S. 1134 -- Senator McGill: A BILL 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.

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

Senator CAMPSEN explained the Bill.

**READ THE SECOND TIME**

S. 1388 -- Senator Cleary: A BILL TO AMEND SECTION 44-7-150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL IN THE ADMINISTRATION OF THE CERTIFICATE OF NEED (CON) PROGRAM, INCLUDING THE ASSESSMENT AND COLLECTION OF FEES, SO AS TO ESTABLISH CON APPLICATION, FILING, AND ISSUANCE FEES.

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

Senator CLEARY explained the Bill.

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

**Ayes 35; Nays 5; Present 2**

**AYES**

Alexander Anderson Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Ford Gregory

Hayes Hutto Land

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson O'Dell

Peeler Rankin Reese

Rose Ryberg Scott

Sheheen Shoopman Thomas

Verdin Williams

**Total--35**

**NAYS**

Bright Grooms Knotts

Leatherman Setzler

**Total--5**

**PRESENT**

Elliott Leventis

**Total--2**

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

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator GROOMS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

**READ THE SECOND TIME**

S. 1269 -- Senators Peeler and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 71, TITLE 38 SO AS TO PROVIDE THE RIGHTS OF A PHARMACY WHEN UNDERGOING AN AUDIT CONDUCTED BY A MANAGED CARE COMPANY, INSURANCE COMPANY, THIRD‑PARTY PAYER, OR AN ENTITY RESPONSIBLE FOR PAYMENT OF CLAIMS FOR HEALTH CARE SERVICES; TO REQUIRE THE AUDITING ENTITY TO ESTABLISH AN APPEALS PROCESS; AND TO PROVIDE FOR THE RECOUPMENT OF FUNDS UNDER CERTAIN CIRCUMSTANCES.

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

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

**Ayes 36; Nays 0; Abstain 2**

**AYES**

Alexander Anderson Bright

Campbell Campsen Cleary

Courson Davis Elliott

Fair Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Matthews McGill

Nicholson Peeler Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Verdin Williams

**Total--36**

**NAYS**

**Total--0**

**ABSTAIN**

Bryant Cromer

**Total--2**

**Statement by Senator MASSEY**

Having been out of the Chamber at the time the vote was taken, I would have voted in favor the second reading of S. 1269.

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

**READ THE SECOND TIME**

S. 1321 -- Senators Malloy, McConnell, Knotts and Ford: A BILL TO AMEND THE “OMNIBUS CRIME REDUCTION AND SENTENCING REFORM ACT OF 2010”, THE 1976 CODE, BY AMENDING TITLE 16 TO RESTRUCTURE THE DEGREES OF ARSON; AND TO PROVIDE THAT IT IS A VIOLATION OF A SUPERVISION PROGRAM FOR A PERSON CONVICTED OF A VIOLENT CRIME TO PURCHASE OR POSSESS A DANGEROUS WEAPON; TO AMEND TILE 22 TO AMEND THE OFFENSE OF BREACH OF THE PEACE; TO PROVIDE THAT EXPUNGEMENT OF A YOUTHFUL OFFENDER RECORD DOES NOT APPLY TO SEXUAL OFFENDER REGISTRY OFFENSES EXCEPT IN CERTAIN CIRCUMSTANCES; TO PROVIDE A THREE YEAR MINIMUM SENTENCE FOR A YOUTHFUL OFFENDER WHO COMMITTS BURGLARY IN THE SECOND DEGREE, TO AMEND TITLE 24 TO PROVIDE THE PROCEDURES THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES SHALL FOLLOW UNDER ADMINISTRATIVE MONITORING AND TO PROVIDE FOR COMPLIANCE CREDITS FOR INDIVIDUALS UNDER THEIR SUPERVISION; TO AMEND TITLE 44, TO PROVIDE THAT A CONVICTION FOR TRAFFICKING IN CONTROLLED SUBSTANCES MUST BE CONSIDERED A PRIOR OFFENSE FOR ENHANCEMENT PURPOSES; TO AMEND TITLE 56, TO PROVIDE THAT A QUALIFYING SUSPENSION FOR AMNESTY NOT INCLUDE SUSPENSIONS PURSUANT TO SECTION 56‑5‑2990 OR SECTION 56‑5‑2945, OR FOR DRIVING UNDER SUSPENSION VIOLATIONS RELATED TO THOSE SECTIONS; AND TO AMEND THE PENALTIES FOR DRIVING UNDER SUSPENSION, THIRD OR SUBSEQUENT OFFENSE. *(ABBREVIATED TITLE)*

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

Senator MALLOY explained the Bill.

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

**Ayes 36; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Matthews McGill

Nicholson O'Dell Peeler

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Verdin Williams

**Total--36**

**NAYS**

**Total--0**

**Statement by Senator MASSEY**

Having been out of the Chamber at the time the vote was taken, I would have voted in favor of the second reading of S. 1321.

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

**COMMITTEE AMENDMENT AMENDED**

**CARRIED OVER**

S. 566 -- Senators Leventis, Ford, Elliott, Reese, Ryberg, Setzler and Land: A BILL TO AMEND SECTION 59‑63‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE SAFE SCHOOL CLIMATE ACT, SO AS TO AMEND THE DEFINITION OF HARASSMENT TO INCLUDE MOTIVATIONS; TO AMEND SECTION 59‑63‑140, RELATING TO LOCAL DISTRICT POLICIES PROHIBITING HARASSMENT, SO AS TO INCLUDE PROCEDURES AND REPORTING REQUIREMENTS FOR ACTS OF HARASSMENT, AND TO REQUIRE LOCAL DISTRICTS TO POST A LINK TO THE POLICY ON THEIR WEBSITES; TO AMEND SECTION 59‑63‑150, RELATING TO AVAILABILITY OF CIVIL OR CRIMINAL REDRESS, SO AS TO INCLUDE PROVISIONS REGARDING THE CONSTRUCTION OF THE ARTICLE; AND BY ADDING SECTION 59‑63‑160 SO AS TO PROVIDE PROCEDURES FOR THE FILING OF REPORTS, NOTIFICATION TO THE DISTRICT SUPERINTENDENT AND TO THE DISTRICT BOARD OF TRUSTEES, TO PROVIDE A PROCESS FOR GRADING SCHOOLS AND DISTRICTS WITH REGARD TO HARASSMENT, INTIMIDATION, AND BULLYING, AND TO PROVIDE FOR PUBLICATION OF THE SCHOOL AND DISTRICT GRADE ON ITS WEBSITE.

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

Senator BRYANT proposed the following amendment (566R001.KLB), which was adopted:

Amend the committee amendment, as and if amended, page [566-2], by striking Section 59‑63‑120(1)(c) found on lines 1-3.

Amend the committee amendment further, as and if amended, page [566-2], by inserting after line 3:

/ Amend the bill further, as and if amended, page 2, by striking Section 59‑63‑140(A) found on lines 26-31 and inserting:

“Section 59‑63‑140. (A) It is the policy of this State that harassment, intimidation, and bullying in our schools, regardless of motivation, must not be tolerated. It is detrimental to the overall educational environment as well as the children affected by the harassment, intimidation, and bullying. Before January 1, 2007, each local school district shall adopt a policy prohibiting harassment, intimidation, or bullying at school. The school district shall involve parents and guardians, school employees, volunteers, students, administrators, and community representatives in the process of creating the policy. /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT explained the perfecting amendment to the committee amendment.

The perfecting amendment was adopted.

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

**CARRIED OVER**

S. 788 -- Senator Verdin: A BILL TO AMEND CHAPTER 21, TITLE 47 OF THE 1976 CODE, RELATING TO THE FARM ANIMAL AND RESEARCH FACILITIES PROTECTION ACT, BY AMENDING SECTION 47‑21‑70 TO PROVIDE ADDITIONAL LIABILITY EXEMPTIONS TO VETERINARIANS AND PEOPLE WHO HOLD A SUPERIOR INTEREST IN THE PROPERTY; BY ADDING SECTION 47‑21‑90 TO PROVIDE FOR A CIVIL CAUSE OF ACTION FOR A PERSON THAT SUFFERS DAMAGES AS A RESULT OF VIOLATIONS OF CHAPTER 21 RELATING TO ANIMAL FACILITY OPERATIONS; AND BY ADDING ARTICLE 5 TO PROVIDE THAT IT IS UNLAWFUL TO TAMPER WITH CROP OPERATIONS, TO INTERFERE WITH THE OPERATIONS OF A CROP OPERATION, TO FRAUDULENTLY GAIN ACCESS TO A CROP OPERATION, AND TO PROVIDE FOR A CIVIL CAUSE OF ACTION FOR VIOLATIONS OF THIS ACT RELATED TO CROP OPERATIONS, TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT, TO DEFINE NECESSARY TERMS, AND TO MAKE TECHNICAL CORRECTIONS.

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

S. 1176 -- Senators Courson and Land: A BILL TO AMEND TITLE 12 RELATING TO TAXATION, AND COUNTY TAX OFFICIALS TO AMEND THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT OF REVENUE, THE COUNTY ASSESSORS, AUDITORS, TREASURERS, AND TAX COLLECTORS AND MAKE TECHNICAL CHANGES TO THE TAX CODE. *(ABBREVIATED TITLE)*

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

S. 1210 -- Senators Hayes, Land, Lourie and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 60‑15‑100 AND 60‑15‑110 SO AS TO PROVIDE AN ANNUAL TRANSFER TO THE SOUTH CAROLINA ARTS COMMISSION OF AN AMOUNT EQUAL TO FIFTEEN PERCENT OF THE GENERAL FUND PORTION OF STATE ADMISSIONS TAX REVENUES IN THE PREVIOUS YEAR AFTER OTHER TRANSFERS REQUIRED FROM THE REVENUE AND TO REQUIRE THE COMMISSION TO EXPEND AT LEAST SEVENTY PERCENT OF ITS STATE APPROPRIATED FUNDS ON GRANTS FOR CHILDREN’S AND COMMUNITY PROGRAMS.

Senator HAYES explained the Bill.

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

S. 1307 -- Senators Courson, Setzler, Matthews, Hayes and Ford: A BILL TO AMEND THE 1976 CODE, RELATING TO CERTAIN BOARDS AND COMMISSIONS TO AMEND CERTAIN EDUCATIONAL BOARDS OR COMMISSIONS, BOARDS FOR INSTITUTIONS OF HIGHER EDUCATION, THE SC EDUCATIONAL TELEVISION COMMISSION, AND THE SC MUSEUM COMMISSION TO ADJUST MEMBERSHIP TO ACCOUNT FOR THE SEVENTH CONGRESSIONAL DISTRICT, AND TO PROVIDE FOR THE CONTINUATION OF A MEMBER WHOSE RESIDENCY IS TRANSFERED. *(ABBREVIATED TITLE)*

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

S. 1319 -- Senators L. Martin, Matthews, Hayes and Ford: A BILL TO AMEND ARTICLE 11, CHAPTER 75, TITLE 38 OF THE 1976 CODE, BY ADDING SECTION 38-75-1010, 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.

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

S. 1386 -- Senators Cleary, Grooms and Ford: A JOINT RESOLUTION TO PROVIDE FOR THE TRANSITION OF MEMBERSHIP ON THE DEPARTMENT OF TRANSPORTATION COMMISSION REGARDING THE ADDITION OF THE SEVENTH CONGRESSIONAL DISTRICT, AND TO PROVIDE FOR NOTICE OF VACANCIES ON THE COMMISSION.

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

S. 1392 -- Senators Campbell and Ford: A BILL 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.

Senator HAYES explained the Bill.

On motion of Senator SCOTT, 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.

Senator SCOTT explained the Bill.

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

H. 4690 -- Reps. Owens, J.M. Neal, Patrick, Willis, Daning, Erickson and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “JASON FLATT ACT” BY ADDING SECTION 59‑26‑110 SO AS TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE TWO HOURS OF TRAINING IN YOUTH SUICIDE AWARENESS AND PREVENTION AS A REQUIREMENT FOR THE RENEWAL OF CREDENTIALS FOR INDIVIDUALS EMPLOYED IN MIDDLE SCHOOLS AND HIGH SCHOOLS; TO REQUIRE THE DEPARTMENT TO DEVELOP GUIDELINES FOR TRAINING AND MATERIALS THAT MAY BE USED BY SCHOOLS AND SCHOOL DISTRICTS AND TO PROVIDE THAT SCHOOL DISTRICTS MAY APPROVE TRAINING MATERIALS FOR TRAINING THEIR EMPLOYEES; TO PROVIDE THAT THIS TRAINING REQUIREMENT MAY BE SATISFIED THROUGH SELF REVIEW OF SUICIDE PREVENTION MATERIALS; AND TO PROVIDE THAT NO CAUSE OF ACTION RESULTS FROM THE IMPLEMENTATION OF THIS ACT.

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

**OBJECTIONS**

S. 1395 -- Senators Lourie, Cleary, Bryant, S. Martin, Knotts and Bright: A BILL TO AMEND SECTION 40-1-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN THE OVERSIGHT AND ADMINISTRATION OF PROFESSIONAL AND OCCUPATIONAL BOARDS, INCLUDING THE PROCESS WHEREBY THESE BOARDS ESTABLISH FEE SCHEDULES, SO AS TO DELETE THESE PROVISIONS CONCERNING BOARDS ESTABLISHING FEES AND TO REQUIRE THAT ALL SUCH FEES MUST BE ESTABLISHED BY LEGISLATIVE ENACTMENT IN THE GENERAL AND PERMANENT LAW OF THE STATE.

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

Senator CLEARY explained the Bill.

Senator LEVENTIS spoke on the Bill.

Senator KNOTTS objected to further consideration of the Bill.

S. 149 -- Senators Campsen, Rose, McConnell, Ryberg, Fair, Massey, Leventis, Bryant, Davis and Shoopman: A BILL 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, GOVERNOR’S SCHOOL STUDENTS, AND CHARTER SCHOOL STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES OF THE SCHOOL DISTRICT IN WHICH THE STUDENT RESIDES PURSUANT TO CERTAIN CONDITIONS.

Senator MALLOY objected to the Bill.

Senator KNOTTS objected to the uncontested Bills on the Statewide Calendar.

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

**MOTION ADOPTED**

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

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

**Message from the House**

Columbia, S.C., February 28, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.135, H. 4723 by a vote of 97 to 0:

(R135, H4723) -- Reps. Loftis, Corbin, Allen, Dillard, Hamilton, Henderson, Nanney, G.R. Smith, Stringer, Willis and Bannister: AN ACT TO AMEND ACT 848 OF 1954, RELATING TO THE CREATION OF THE BEREA WATER AND SEWER DISTRICT IN GREENVILLE COUNTY, SO AS TO ADD TWO ADDITIONAL MEMBERS TO THE GOVERNING COMMISSION AND PROVIDE FOR STAGGERING THEIR TERMS.

Very respectfully,

Speaker of the House

Received as information.

**VETO SUSTAINED**

(R135, H4723) -- Reps. Loftis, Corbin, Allen, Dillard, Hamilton, Henderson, Nanney, G.R. Smith, Stringer, Willis and Bannister: AN ACT TO AMEND ACT 848 OF 1954, RELATING TO THE CREATION OF THE BEREA WATER AND SEWER DISTRICT IN GREENVILLE COUNTY, SO AS TO ADD TWO ADDITIONAL MEMBERS TO THE GOVERNING COMMISSION AND PROVIDE FOR STAGGERING THEIR TERMS.

On motion of Senator FAIR, with unanimous consent, the veto of the Governor was taken up for immediate consideration.

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

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

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

**Ayes 0; Nays 38; Abstain 2**

**AYES**

**Total--0**

**NAYS**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Gregory Grooms Hayes

Jackson Knotts Land

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Rankin

Reese Rose Ryberg

Scott Setzler Shoopman

Verdin Williams

**Total--38**

**ABSTAIN**

Ford Leventis

**Total--2**

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

**Motion to Ratify Adopted**

At 2:30 P.M., Senator COURSON 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 11:30 A.M. on Thursday, April 19, 2012.

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

**ADJOURNMENT**

At 2:45 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 2:00 P.M.

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