**Tuesday, January 26, 2010**

**(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:

We read how the Lord himself pointedly states:

“ ‘I tell you the truth, whatever you did for one of the least of these brothers of mine, you did it for me.’ ” (Matthew 25:40)

Let us pray:

Holy Lord, You have made it abundantly clear that we do indeed have a measure of responsibility for the well-being of many of our more unfortunate brothers and our sisters. In this day and time when unemployment soars in this State, when so many of fellow South Carolinians are hardly able to make it from week to week, when the needs of so many children cry out to be redressed, motivate us all to be concerned, as well as to act. Guide these Senators and all others who labor in this Chamber and in this governmental complex to find meaningful and realistic ways to respond to the plight of the needy. And may we strengthen the fabric of all of society when we do so—to Your glory and in Your loving name, O Lord.

Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Mark C. Sanford:

**Statewide Appointment**

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2010, and to expire December 31, 2014

LPN - Region 1:

Dawn A. Wilson, 1018 Snowberry Drive, Longs, SC 29568

Referred to the Committee on Medical Affairs.

**Local Appointments**

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

Lawrence P. McElynn, 584 Colonial Drive, Hilton Head, SC 29926

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2006, and to expire April 30, 2010

Lawrence P. McElynn, 584 Colonial Drive, Hilton Head, SC 29926 *VICE* Jaye Jones Elliot

**REGULATIONS RECEIVED**

The following were received and referred to the appropriate committees for consideration:

Document No. 4100

Agency: Board of Accountancy

Chapter: 1

Statutory Authority: 1976 Code Sections 40-1-70 and 40-2-70

SUBJECT: Firm Registration, Continuing Professional Education and Professional Standards

Received by Lieutenant Governor January 21, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 21, 2010

Document No. 4101

Agency: Board of Architectural Examiners

Chapter: 11

Statutory Authority: 1976 Code Sections 40-1-70 and 40-3-60

SUBJECT: Practice of Architecture; Increased Use of Electronic Documents

Received by Lieutenant Governor January 21, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 21, 2010

Document No. 4103

Agency: Manufactured Housing Board

Chapter: 79

Statutory Authority: 1976 Code Sections 40-1-70 and 40-29-10

SUBJECT: Apprentice Salespersons

Received by Lieutenant Governor January 21, 2010

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 21, 2010

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4068

Agency: Board of Funeral Service

Chapter: 57

Statutory Authority: 1976 Code Sections 32-8-300 et seq.

SUBJECT: Funeral Service Practice Act

Received by Lieutenant Governor May 5, 2009

Referred to Judiciary Committee

Legislative Review Expiration April 11, 2010

120 Day Period Tolled

Withdrawn and Resubmitted January 21, 2010

**Doctor of the Day**

Senator FAIR introduced Dr. Ted Watson of Anderson, S.C., Doctor of the Day.

**CO-SPONSORS ADDED**

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

S. 930 Sen. Leventis

S. 1030 Sen. Verdin

S. 1068 Sen. Verdin

S. 1078 Sen. Cromer

**CO-SPONSOR REMOVED**

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

S. 1068 Sen. Davis

**RECALLED AND COMMITTED**

S. 1084 -- Senators Matthews and Ford: A BILL TO REPEAL SECTION 12‑36‑2120(20) OF THE 1976 CODE, RELATING TO SALES TAX EXEMPTIONS FOR RAILROAD CARS, LOCOMOTIVES, AND THEIR PARTS, MOTORS, AND ENGINES.

Senator McCONNELL asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

There was no objection and the Bill was recalled from the Committee on Judiciary.

On motion of Senator McCONNELL, with unanimous consent, the Bill was committed to the Committee on Finance.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1094 -- Senator Alexander: A JOINT RESOLUTION TO ALLOW A STATE INDIVIDUAL INCOME TAX CREDIT EQUAL TO SEVEN PERCENT OF A PREMATURE DISTRIBUTION FROM A FEDERAL INCOME TAX DEFERRED RETIREMENT SAVINGS ACCOUNT USED TO MAKE CURRENT AN ARREARAGE ON A MORTGAGE ON PRIMARY RESIDENCE OWNED BY THE TAXPAYER, TO ALLOW THIS CREDIT IN TAXABLE YEARS 2010, 2011, AND 2012, AND TO LIMIT A TAXPAYER TO ONE CREDIT OVER THESE THREE YEARS.

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

S. 1095 -- Senators Cleary and Cromer: A CONCURRENT RESOLUTION TO OPPOSE ANY FISHING AREA CLOSURES OFF THE COAST OF SOUTH CAROLINA ASSOCIATED WITH THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL'S PROPOSED AMENDMENT 17A TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER GROUPER FISHERY OF THE SOUTH ATLANTIC REGION.

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The Concurrent Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

S. 1096 -- Senators McConnell, Alexander, Rankin, Hutto, Matthews, Leatherman, Land, Hayes, Anderson, Scott, Coleman and O'Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-37-50, RELATING TO THE AUTHORIZATION FOR ELECTRIC COOPERATIVES AND MUNICIPAL ELECTRIC SYSTEMS, TO IMPLEMENT FINANCING SYSTEMS FOR ENERGY EFFICIENCY IMPROVEMENTS, SO AS TO PROVIDE THAT THEY WILL HAVE THE AUTHORITY TO FINANCE THE PURCHASE PRICE AND INSTALLATION COST OF ENERGY CONSERVATION MEASURES; TO PROVIDE FOR THE RECOVERY OF SUCH FINANCING THROUGH CHARGES PAID FOR BY THE CUSTOMERS BENEFITTING FROM THE INSTALLATION OF THE ENERGY CONSERVATION MEASURES; TO PROTECT THE ENTITIES FROM LIABILITY FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF SUCH MEASURES; TO PROVIDE FOR THE INSTALLATION OF ENERGY EFFICIENCY AND CONSERVATION MEASURES IN RENTAL PROPERTIES; AND TO PROVIDE A MECHANISM FOR RECOVERY OF THE COSTS OF SUCH MEASURES INSTALLED IN RENTAL PROPERTIES; AND TO AMEND SECTION 8-21-310 TO ALLOW CLERKS OF COURT AND REGISTERS OF DEEDS TO CHARGE A FEE FOR FILING A NOTICE OF UTILITY METER CHARGE.

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

S. 1097 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-21-110 TO CHAPTER 21, TITLE 41 SO AS TO ENACT THE "FUTURE VOLUNTEER FIREFIGHTERS ACT OF SOUTH CAROLINA" AND TO ESTABLISH THE JUNIOR FIREFIGHTERS PROGRAM.

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

S. 1098 -- Senator Cleary: A BILL TO AMEND SECTION 44-29-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MASS IMMUNIZATION PROJECTS APPROVED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND THE PARTICIPATION OF MEDICAL PERSONNEL IN THESE PROJECTS, SO AS TO PROVIDE THAT LICENSED NURSES, RATHER THAN REGISTERED NURSES, ARE INCLUDED IN THE PERSONNEL WHO MAY PARTICIPATE IN THESE PROJECTS AND WHO ARE EXEMPT FROM LIABILITY.

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

S. 1099 -- Senator McConnell: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUME 22 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2010.

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Read the first time and, on motion of Senator McCONNELL, with unanimous consent, S. 1099 was ordered placed on the Calendar without reference.

S. 1100 -- Senator Scott: A SENATE RESOLUTION TO EXPRESS THE SINCERE SORROW OF THE MEMBERS OF THE SENATE OF THE STATE OF SOUTH CAROLINA UPON THE DEATH OF ERNEST SURGINER, SR., OF RICHLAND COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS MANY FRIENDS AND HIS LARGE AND LOVING FAMILY.

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The Senate Resolution was adopted.

S. 1101 -- Senators Courson and Lourie: A CONCURRENT RESOLUTION TO CONGRATULATE DR. RANDALL R. GARY, PRINCIPAL OF DENT MIDDLE SCHOOL IN RICHLAND SCHOOL DISTRICT TWO, ON BEING NAMED 2010 SOUTH CAROLINA MIDDLE SCHOOL PRINCIPAL OF THE YEAR BY THE SOUTH CAROLINA ASSOCIATION OF SCHOOL ADMINISTRATORS.

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

S. 1102 -- Senator Elliott: A CONCURRENT RESOLUTION TO COMMEND THE SCOTT HANNON MEMORIAL FOUNDATION FOR ITS MANY YEARS OF EXCEPTIONAL SERVICE TO THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE THIS FINE ORGANIZATION ON THE OCCASION OF ITS TWENTIETH ANNIVERSARY.

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

S. 1103 -- Senators Bright, Reese, Peeler and S. Martin: A SENATE RESOLUTION TO HONOR AND RECOGNIZE THE SPARTANBURG CHAPTER OF THE INTERNATIONAL PLASTIC MODELERS SOCIETY, AND TO COMMEND THEM FOR THEIR WORK TO BENEFIT THEIR COMMUNITY.

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The Senate Resolution was adopted.

S. 1104 -- Senators Knotts, Campsen, McConnell, Grooms, Courson, Nicholson, Rose, S. Martin, Williams, Setzler, Ford, Shoopman, Campbell, O'Dell, Reese, Cromer, L. Martin and Leventis: A BILL TO AMEND SECTION 17-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS OF CORONERS, SO AS TO INCREASE THOSE QUALIFICATIONS BY REQUIRING THOSE PERSONS WITH HIGH SCHOOL DIPLOMAS TO ALSO HAVE AT LEAST SIX YEARS EXPERIENCE IN THE FIELD, BY REQUIRING THOSE PERSONS WITH A TWO YEAR ASSOCIATE DEGREE TO ALSO HAVE FOUR YEARS OF EXPERIENCE IN THE FIELD, AND BY REQUIRING THOSE PERSONS WITH A FOUR YEAR BACCALAUREATE DEGREE TO ALSO HAVE AT LEAST TWO YEARS OF EXPERIENCE IN THE FIELD; AND TO REQUIRE THAT A CANDIDATE FOR CORONER FILE A SWORN AFFIDAVIT WITH THE COUNTY EXECUTIVE COMMITTEE OF THE PERSON'S POLITICAL PARTY UNDER SPECIFIED TIME FRAMES, TO PROVIDE FOR THE FILING OF THE AFFIDAVIT BY PETITION CANDIDATES, AND TO DELINEATE THE INFORMATION THAT THE AFFIDAVIT MUST CONTAIN.

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

S. 1105 -- Senators Jackson, Knotts, Anderson, O'Dell, Lourie, Nicholson and Leventis: A CONCURRENT RESOLUTION TO REQUEST SOUTH CAROLINA ELECTRIC AND GAS COMPANY TO DELAY ITS REQUEST FOR A NINE AND ONE-HALF PERCENT RATE INCREASE IN RETAIL ELECTRIC RATES THAT IT PLANS TO REQUEST IN MAY OR JUNE OF THIS YEAR.

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Senator JACKSON spoke on the Resolution.

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

S. 1106 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SERGEANT DEMETRIUS L. VOID OF THE UNITED STATES ARMY WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN AFGHANISTAN, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

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Senator KNOTTS spoke on the Resolution.

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

S. 1107 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY STAFF SERGEANT RAPHAEL A. FUTRELL OF THE UNITED STATES ARMY WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN IRAQ, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

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Senator KNOTTS spoke on the Resolution.

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

S. 1108 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SPECIALIST ABRAHAM S. WHEELER III OF THE UNITED STATES ARMY WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN AFGHANISTAN, AND TO EXPRESS TO HIS FAMILY THE PROFOUND APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

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Senator KNOTTS spoke on the Resolution.

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

S. 1109 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY SPECIALIST JUSTIN ANTISDEL OF THE UNITED STATES ARMY WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN IRAQ, AND TO EXPRESS TO HIS WIFE AND FAMILY THE PROFOUND APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

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Senator KNOTTS spoke on the Resolution.

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

H. 3468 -- Reps. Crawford, Stringer, Allison, Wylie and Millwood: A BILL TO AMEND ARTICLE 3, CHAPTER 61, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY MEDICAL SERVICES FOR CHILDREN, SO AS TO DEFINE "MANAGER" AND "EMERGENCY MEDICAL TECHNICIAN"; TO REQUIRE THE EMERGENCY MEDICAL SERVICES FOR CHILDREN PROGRAM TO INCLUDE GUIDELINES FOR DESIGNATION OF PEDIATRIC EMERGENCY DEPARTMENTS, GUIDELINES FOR DISASTER RESPONSES TO CHILDREN AND THEIR FAMILIES, PEDIATRIC DISASTER PREPAREDNESS TRAINING, AND PEDIATRIC SURGE DISASTER PLAN STRATEGIES; TO ESTABLISH THE EMERGENCY MEDICAL SERVICES FOR CHILDREN ADVISORY COMMITTEE AND TO PROVIDE FOR ITS MEMBERSHIP AND PURPOSE; AND TO MAKE TECHNICAL CORRECTIONS.

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

H. 3624 -- Reps. A. D. Young, Horne, Knight and Harrell: A BILL TO PROVIDE THAT EACH MEMBER OF THE DORCHESTER COUNTY TRANSPORTATION COMMITTEE IS ALLOWED AND MUST BE PAID FROM DORCHESTER COUNTY "C" FUND REVENUES SEVENTY-FIVE DOLLARS FOR EACH MEETING AT WHICH THE MEMBER IS IN ATTENDANCE.

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

**HOUSE CONCURRENCES**

S. 1081 -- Senators Alexander and L. Martin: A CONCURRENT RESOLUTION TO EXPRESS THE SINCERE SORROW OF THE MEMBERS OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA UPON THE DEATH OF HAROLD ALEXANDER “MAC” MCKEOWN OF PICKENS COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS MANY FRIENDS AND FAMILY MEMBERS.

Returned with concurrence.

Received as information.

S. 1093 -- Senator Knotts: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY LANCE CORPORAL CHRISTOPHER S. FOWLKES OF THE UNITED STATES MARINE CORPS WHILE HE WAS SERVING A TOUR OF MILITARY DUTY IN AFGHANISTAN, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS LIFE, SACRIFICE, AND SERVICE.

Returned with concurrence.

Received as information.

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

**THIRD READING BILL**

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

S. 517 -- Senators Davis, Bright, Shoopman, Ryberg, Bryant, Mulvaney, Fair, Peeler, Rose, Campsen and S. Martin: A JOINT RESOLUTION TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL NOT AUTHORIZE A STATE AGENCY, DEPARTMENT, OR ENTITY TO INCREASE OR IMPLEMENT A FEE, PENALTY, OR FINE IN THE STATE GENERAL APPROPRIATIONS ACT OR OTHER ACTS SUPPLEMENTAL TO THAT ACT; TO PROVIDE THAT ANY INCREASE OR IMPLEMENTATION OF A FEE OR FINE MAY ONLY BE AUTHORIZED BY AN ACT SEPARATE FROM AN APPROPRIATIONS ACT; TO PROVIDE THAT NO STATE AGENCY, DEPARTMENT, OR ENTITY MAY INCREASE OR IMPLEMENT BY REGULATION OR ADMINISTRATIVE ACTION A FEE, PENALTY, OR FINE; AND TO PROVIDE EXCEPTIONS FOR INTERNAL CHARGES BETWEEN STATE AGENCIES AND FOR FEES, INCLUDING TUITION, IMPOSED BY SCHOOLS AND COLLEGES ON STUDENTS; AND TO PROVIDE FOR THE EXPIRATION OF THIS JOINT RESOLUTION JULY 1, 2010, UNLESS REAUTHORIZED BY LAW.

Senator DAVIS explained the Joint Resolution.

**Recorded Vote**

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the third reading of the Joint Resolution.

**SECOND READING BILL**

The following Bill, having been read the second time, was ordered placed on the Third Reading Calendar:

S. 728 -- Senators Hayes and Fair: A BILL TO AMEND SECTION 12‑65‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENTITLEMENT TO TAX CREDITS UNDER THE TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO FURTHER PROVIDE FOR THE APPLICABILITY OF SPECIFIC REQUIREMENTS FOR TEXTILE MILL SITES ACQUIRED BEFORE AND AFTER 2007, TO REVISE THE ALLOWABLE AMOUNT OF THE CREDITS IN CERTAIN INSTANCES, TO PROVIDE THAT THE TAX CREDITS ALLOWED INCLUDE CREDITS AGAINST INSURANCE PREMIUM TAXES, TO MAKE A TECHNICAL CORRECTION, AND TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE CREDITS ARE VESTED IN A TAXPAYER AND MAY BE ALLOCATED TO PARTNERS OR MEMBERS; BY ADDING SECTION 12‑65‑50 SO AS TO PROVIDE TRANSITION RULES APPLICABLE TO SPECIFIC MILL SITES; AND BY ADDING SECTION 12‑65‑60 SO AS TO FURTHER PROVIDE FOR THE ELIGIBILITY CERTIFICATION PROCESS.

Senator HAYES explained the Bill.

The question then was the second reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Jackson Knotts Leatherman

Leventis Lourie Malloy

*Martin, L. Martin, S.* Massey

Matthews McConnell McGill

Mulvaney Nicholson Peeler

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

**Total--0**

Having received the necessary vote, the Bill was read the second time, passed and ordered to a third reading.

**AMENDED, READ THE SECOND TIME**

S. 1034 -- Senator Leatherman: A JOINT RESOLUTION TO EXTEND THE DATE BY WHICH THE TAXATION REALIGNMENT COMMISSION MUST PREPARE AND DELIVER ITS REPORT AND RECOMMENDATION UNTIL NOVEMBER 15, 2010.

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

Senator RYBERG proposed the following amendment (1034FIN001), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking lines 21 and 22 and inserting:

/ deliver its report and recommendation is extended from no later than March 15, 2010, until no later than October 15, 2010. Renumber sections to conform.

Amend title to conform.

Senator RYBERG explained the amendment.

The amendment was adopted.

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

**Recorded Vote**

Senator LEVENTIS desired to be recorded as voting against the second reading of the Resolution.

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

**MADE SPECIAL ORDER**

H. 3418 -- Reps. Harrell, Simrill, Crawford, Huggins, Bedingfield, Merrill, G.R. Smith, Erickson, Ballentine, Brady, Chalk, Daning, Delleney, Frye, Gambrell, Hamilton, Harrison, Hearn, Herbkersman, Loftis, Long, Lucas, Nanney, Pinson, Rice, G.M. Smith, Spires, Stringer, Thompson, Viers, Willis, Wylie, T.R. Young, Clemmons, Owens, Parker, Toole, M.A. Pitts, Lowe, Bingham, Umphlett, Sandifer and Edge: A BILL TO AMEND SECTION 7‑13‑710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PRESENTATION OF A PERSON’S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE THE ELECTOR TO PRODUCE A VALID PHOTO IDENTIFICATION CARD AT THE TIME OF CASTING HIS BALLOT, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE.

Pursuant to Rule 33B (See poll below), Senator MARTIN moved to make the Bill a Special Order.

**H. 3418--Poll of the Rules Committee**

**Polled 17; Ayes 10; Nays 4; Not Voting 3**

**AYES**

Cromer Leatherman Massey

Davis S. Martin Rose

L. Martin McConnell Knotts

Shoopman

**Total--10**

**NAYS**

Hutto Land Matthews

Nicholson

**Total--4**

**NOT VOTING**

Elliott Malloy Reese

**Total--3**

Senator FORD spoke on the motion.

Senator McCONNELL spoke on the motion.

Senator SCOTT spoke on the motion.

Senator SETZLER spoke on the motion.

Senator LAND spoke on the motion.

Senator ANDERSON spoke on the motion.

Senator MALLOY spoke on the motion.

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

**Ayes 27; Nays 17**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Knotts Leatherman *Martin, L.*

*Martin, S.* Massey McConnell

Mulvaney O’Dell Peeler

Rankin Rose Ryberg

Shoopman Thomas Verdin

**Total--27**

**NAYS**

Anderson Coleman Elliott

Ford Jackson Land

Leventis Lourie Malloy

Matthews McGill Nicholson

Pinckney Reese Scott

Setzler Williams

**Total--17**

The Bill was made a Special Order.

**MADE SPECIAL ORDER**

S. 391 -- Senators Ryberg, McConnell, Verdin, Bryant, Cleary, Campsen, Shoopman, Campbell and Rose: A BILL TO CREATE THE WORKFORCE DEPARTMENT APPELLATE PANEL WITHIN THE DEPARTMENT OF WORKFORCE, TO TRANSFER THE WORKFORCE INVESTMENT ACT PROGRAM FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF WORKFORCE, TO CREATE THE SOUTH CAROLINA DEPARTMENT OF WORKFORCE WITHIN THE EXECUTIVE BRANCH, TO CONFORM SEVERAL CODE SECTIONS TO THE REPLACEMENT OF THE EMPLOYMENT SECURITY COMMISSION WITH THE DEPARTMENT OF WORKFORCE. (ABBREVIATED TITLE)

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

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

**Ayes 41; Nays 2**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Grooms Hayes

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, L. Martin, S.*

Massey McConnell McGill

Mulvaney Nicholson O’Dell

Peeler Rankin Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

Ford Pinckney

**Total--2**

The Bill was made a Special Order.

**MOTION ADOPTED**

On motion of Senator McCONNELL, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet tomorrow at 1:30 P.M.

**MOTION ADOPTED**

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

**Expression of Personal Interest**

Senator LEVENTIS rose for an Expression of Personal Interest.

**PRESIDENT *Pro Tempore* PRESIDES**

Senator McCONNELL assumed the Chair.

**Expression of Personal Interest**

Senator RYBERG rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator ROSE rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator ELLIOTT rose for an Expression of Personal Interest.

**CARRIED OVER**

S. 186 -- Senators McConnell and Campsen: A BILL TO AMEND SECTION 15‑77‑300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALLOWANCE OF ATTORNEY’S FEES IN STATE‑INITIATED ACTIONS, SO AS TO LIMIT THE FEE TO A REASONABLE TIME EXPENDED AT A REASONABLE RATE.

On motion of Senator L. MARTIN, with unanimous consent, the Bill was carried over, not to be taken up for consideration prior to Tuesday, February 2, 2010.

**LOCAL APPOINTMENTS**

**Confirmations**

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

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

Lawrence P. McElynn, 584 Colonial Drive, Hilton Head, SC 29926

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2006, and to expire April 30, 2010

Lawrence P. McElynn, 584 Colonial Drive, Hilton Head, SC 29926 *VICE* Jaye Jones Elliot

**MOTION ADOPTED**

On motion of Senator KNOTTS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Lewis Maxwell Williamson, Sr. of Blythewood, S.C., beloved husband to Anne, devoted father and doting grandfather and step-grandfather.

**ADJOURNMENT**

At 1:38 P.M., on motion of Senator L. MARTIN, the Senate adjourned to meet tomorrow at 1:30 P.M.

**Recorded Vote**

Senator BRIGHT desired to be recorded as voting against the motion to adjourn.

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