**Thursday, March 31, 2011**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

In Exodus we read that Moses asked God:

“ ‘Who am I that I should go to Pharaoh and bring the Israelites out of Egypt?’ ” (Exodus 3:11)

Bow in prayer with me, if you will:

Glorious and ever-loving God, be with each of these Senators whenever they find themselves doubting their call to service. It is surely not an easy nor always pleasurable task these days to be in the public eye. Remind these leaders of the women and men and children throughout this State who are dependent upon them, O Lord. And then allow each Senator and every staff member to be confident as they continue in their role, knowing that You are walking with them, guiding them, caring for them. And as always, Lord, may the ultimate glory be Yours. In Your name we pray, 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 Nikki Randhawa Haley:

**Local Appointments**

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

John Alonzo Chaney, P. O. Box 1173, Fairfax, SC 29827

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

James Tillman Busby, 1200 Good Hope Church Road, Anderson, SC 29684

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

James Albert Cox, 208 Mills Street, West Pelzer, SC 29669

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

Sherry E. Mattison, 309 Oakwood Estates Drive, Anderson, SC 29621

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

James Edward Thomas, P. O. Box 1765, Hartsville, SC 29550

Initial Appointment, Savannah River Site Redevelopment Authority, with the term to commence October 21, 2010, and to expire October 21, 2014

General Public:

Thomas Williams, 2686 Highway 278, Barnwell, SC 29812 *VICE* Robert Cooper (resigned)

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

Kristi F. Curtis, 1145 Boardwalk, Sumter, SC 29150 *VICE* Kathy Ward (resigned)

**Doctor of the Day**

Senator LAND introduced Dr. Sharon Eden of Columbia, S.C., Doctor of the Day, along with her son, Evan.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Remarks by Senator MALLOY**

Gentlemen of the Senate, I rise for a brief moment to give you an encouraging report as we continue to move along. A few years ago we started talking about what to do with the Departments of Corrections and Probation, Pardon and Parole. At that time the prison population was 23,547. As you know in the Bill we had, we were focusing on those that were convicted of violent crimes -- those individuals that needed to be taxpayers instead of tax burdens. We wanted to end up providing some alternatives for those that were violent in our society. We wanted to make sure that we kept ourselves safe.

The prison population is down by 1,027 from one year ago today in such a short period of time. What that means is it costs us less. You can add a lot of factors into it. You can end up saying that maybe DJJ has been helpful as it relates to a feeder system. But I believe that once the judges follow the law that you have passed here in this body, it will demonstrate that we can do better in a holistic way if we try to end up grouping together in a bi-partisan fashion using evidence-based practices to solve the problems that we have in this State. And so, what that really means is that if you’re down a thousand some odd in population in less than a year from an Act that was only in place since June of 2010, then gentleman, that is progress. When we say progress, what that means is that we are saving taxpayers’ dollars because we are not having to incarcerate those who are actually tax burdens and we are turning those that are non-violent offenders into taxpayers. I wanted to give you that brief report.

Senator COURSON: Did you know that this is the first time since I have served in this body that I have noticed a decrease in prison population? Did you know that this will mean more money for education?

SENATOR MALLOY: Yes, the money we don’t have to spend in incarceration, we can place in education -- things that are very dear to our hearts.

This entire body, by embracing the issue with the help of the Senator from Charleston and the Senator from Lexington and many others who have worked on this issue -- it looks like we are going down in the prison population. As we continue to go forward, the Senator from Greenville has asked us to look at the combining of the agencies. We just need to make certain that what we have in place does not break what we have sort of fixed. What it means is that we have been operating with a deficit in our in our prison system. If we continue to solve the problems in this method, we’ll be able to put more money into education. Whenever we have difficult times, you can do good things better if people are inspired and work together and you do it based on the evidence. And that’s what we want to do to reach a common goal to keep South Carolinians safe.

On motion of Senator FAIR, with unanimous consent, the remarks of Senator MALLOY were ordered printed in the Journal.

**CO-SPONSORS ADDED**

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

S. 79 Sen. Campsen

S. 211 Sens. Ford, McGill

S. 388 Sen. Shoopman

S. 435 Sens. Bryant, Ford, Campsen

S. 593 Sen. Campsen

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 757 -- Senators Grooms, Campbell and Campsen: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE TIMBERLAND HIGH SCHOOL GIRLS BASKETBALL TEAM ON ITS IMPRESSIVE WIN OF THE 2011 CLASS AA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS, COACH, AND STAFF ON AN OUTSTANDING SEASON.

l:\council\bills\rm\1114ab11.docx

The Senate Resolution was adopted.

S. 758 -- Senator Malloy: A BILL TO AMEND ARTICLE 11, CHAPTER 21, TITLE 24 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 24-21-1010, SO AS TO PROVIDE THAT A PERSON WHO HAS RECEIVED A PARDON FOR ANY CRIME EXCEPT CRIMINAL SEXUAL CONDUCT OR A CRIME OF VIOLENCE AS DEFINED IN SECTION 16-23-10(3), MAY APPLY, OR CAUSE SOMEONE ACTING ON THE PERSON'S BEHALF TO APPLY, TO THE CIRCUIT COURT FOR AN ORDER EXPUNGING THE RECORDS OF THE PERSON'S ARREST AND CONVICTION.

l:\s-jud\bills\malloy\jud0098.jjg.docx

Read the first time and referred to the Committee on Corrections and Penology.

S. 759 -- Senator Alexander: A SENATE RESOLUTION TO HONOR AND CONGRATULATE PRIVATE FIRST CLASS BRENT K. SCHIPPER UPON BEING NAMED THE SOUTH CAROLINA NATIONAL GUARD SOLDIER OF THE YEAR.

l:\s-res\tca\009schi.mrh.tca.docx

The Senate Resolution was adopted.

S. 760 -- Senator McGill: A SENATE RESOLUTION TO CONGRATULATE THELMA WILLIAMS, MOTHER OF OUR DEAR FRIEND AND COLLEAGUE, SENATOR KENT WILLIAMS, UPON THE OCCASION OF HER EIGHTY-FIFTH BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY MORE YEARS OF CONTINUED HEALTH AND HAPPINESS.

l:\council\bills\gm\24745sd11.docx

The Senate Resolution was adopted.

S. 761 -- Senator L. Martin: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE EASLEY COMBINED UTILITIES FOR PROVIDING SERVICE TO THE COMMUNITY FOR ONE HUNDRED YEARS.

l:\s-res\lam\022util.mrh.lam.docx

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

H. 3267 -- Reps. Sellers, G. M. Smith and Pitts: A BILL TO AMEND CHAPTER 21, TITLE 24, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION AND OPERATION OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES AND THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO TRANSFER ALL FUNCTIONS, POWERS, DUTIES, RESPONSIBILITIES AND AUTHORITY STATUTORILY EXERCISED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO THE DEPARTMENT OF CORRECTIONS, DIVISION OF PROBATION, PAROLE AND PARDON SERVICES.

Read the first time and referred to the Committee on Corrections and Penology.

H. 3403 -- Reps. Delleney, Simrill, Lucas, Hiott, Limehouse, Bowen, Bedingfield, Pinson, G. M. Smith, J. R. Smith, Bingham, Frye, V. S. Moss, Corbin, Bikas, Cooper, Allison, Parker, Toole, G. R. Smith, Henderson, Atwater, McCoy, Ballentine, Brannon, Clemmons, D. C. Moss, Hixon, Pitts, Young, Sandifer, Quinn, Willis, Viers, Pope, Stringer, Nanney, Hamilton, Owens and Huggins: A BILL TO AMEND SECTION 2-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONSTRUCTION OF THE WORDS “PERSON” AND “PARTY” AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, SO AS TO PROVIDE FURTHER FOR THE CONSTRUCTION OF “PERSON”, “HUMAN BEING”, “CHILD”, AND “INDIVIDUAL”, SO THAT THEY INCLUDE EVERY INFANT MEMBER OF THE SPECIES HOMO SAPIENS WHO IS BORN ALIVE AND TO DEFINE "BORN ALIVE".

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

H. 3408 -- Reps. Delleney, Lucas, Simrill, Hiott, Limehouse, Bowen, Bedingfield, Pinson, J. R. Smith, G. M. Smith, Bingham, Thayer, V. S. Moss, Brannon, Bikas, Cooper, Allison, Toole, Parker, G. R. Smith, Frye, Atwater, Henderson, McCoy, Ballentine, Clemmons, Hixon, D. C. Moss, Pitts, Young, Quinn, Willis, Viers, Sandifer, Stringer, Nanney, Hamilton, Owens and Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5, TO CHAPTER 41, TITLE 44, TO ENACT THE “FREEDOM OF CONSCIENCE ACT” SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, DISCIPLINING, OR DISCRIMINATING AGAINST AN EMPLOYEE WHO ADVISES THE EMPLOYER THAT HE OR SHE REFUSES TO PARTICIPATE IN CERTAIN ACTIVITIES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROVIDE THAT A HEALTH CARE FACILITY IS NOT REQUIRED TO ADMIT A PATIENT, OR TO ALLOW THE USE OF THE FACILITY FOR PROCEDURES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB AND TO PROVIDE THAT CERTAIN HEALTH CARE PROVIDERS AND EMPLOYEES OF SUCH PROVIDERS WHO PROVIDED NOTICE THAT THEY WILL NOT PARTICIPATE IN SUCH ACTIVITIES MUST NOT BE REQUIRED TO PARTICIPATE, MUST NOT BE DISCIPLINED DUE TO SUCH REFUSAL, AND ARE IMMUNE FROM LIABILITY FOR ANY DAMAGES CAUSED BY SUCH REFUSAL; TO PROVIDE THAT THE STATE MUST NOT REQUIRE AN INSURANCE PLAN OR ISSUER TO COVER PROCEDURES INCLUDING, BUT LIMITED TO, PROCEDURES RELATING TO EMBRYONIC TISSUE OR DEVELOPMENT OF A CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROHIBIT A HEALTH CARE FACILITY, SCHOOL, OR EMPLOYER FROM DISCRIMINATING AGAINST A PERSON REGARDING ADMISSION, HIRING OR FIRING, TERMS OF EMPLOYMENT, OR STUDENT OR STAFF STATUS BECAUSE THE PERSON REFUSES, WHETHER OR NOT IN WRITING, TO PARTICIPATE IN PROCEDURES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROVIDE THAT A PERSON MUST NOT BE REQUIRED TO PARTICIPATE IN, MAKE FACILITIES AVAILABLE FOR, OR PROVIDE PERSONNEL FOR PROCEDURES INCLUDING, BUT LIMITED TO, PROCEDURES RELATING TO EMBRYONIC TISSUE OR DEVELOPMENT OF A CHILD IN AN ARTIFICIAL OR NATURAL WOMB IF THE ACTIVITY IS CONTRARY TO THE PERSON'S CONSCIENCE; TO PROHIBIT DISCRIMINATION AGAINST A PERSON ESTABLISHING OR OPERATING A HEALTH CARE FACILITY BECAUSE THE FACILITY DECLINES TO PARTICIPATE IN A HEALTH CARE SERVICE THAT IS CONTRARY TO THE FACILITY’S CONSCIENCE; AND TO PROVIDE THAT A PERSON ADVERSELY AFFECTED BY CONDUCT THAT IS IN VIOLATION OF THIS ARTICLE MAY BRING A CIVIL ACTION FOR EQUITABLE RELIEF AND IF THE PERSON PREVAILS, THE COURT SHALL AWARD ATTORNEY'S FEES.

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

H. 3642 -- Reps. Cooper, Bingham, Allison, Harrell and Owens: A JOINT RESOLUTION TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY PAY TEACHERS BASED ON THE YEARS OF EXPERIENCE THE TEACHERS POSSESSED IN FISCAL YEAR 2010-2011 WITHOUT NEGATIVE IMPACT TO THEIR EXPERIENCE CREDIT; TO PROVIDE VOTING AND NOTICE REQUIREMENTS FOR THIS DECISION; TO REQUIRE THAT PAYMENT ACCORDING TO THE 2010-2011 DATA BE APPLIED UNIFORMLY; TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY NOT PAY DISTRICT OR SCHOOL ADMINISTRATORS MORE THAN THEY RECEIVED IN FISCAL YEAR 2010-2011; TO REQUIRE A LOCAL SCHOOL DISTRICT TO PAY TEACHERS AND SCHOOL ADMINISTRATORS FOR CHANGES IN THEIR EDUCATION LEVELS; AND TO DEFINE CERTAIN TERMS.

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

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

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

H. 3914 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 23, TITLE 57 SO AS TO DESIGNATE CERTAIN HIGHWAYS IN BEAUFORT COUNTY AS SCENIC HIGHWAYS AND SCENIC BYWAYS; AND TO REPEAL ACT 714 OF 1978 WHICH DESIGNATED CERTAIN PORTIONS OF HIGHWAYS IN BEAUFORT COUNTY AS SCENIC HIGHWAYS.

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

H. 3923 -- Rep. Parker: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO RENAME THE INMAN MILLS BAPTIST VOTING PRECINCT THE GREATER ST. JAMES VOTING PRECINCT AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

H. 3947 -- Reps. Rutherford and Bales: A BILL TO AMEND SECTION 55-11-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE RICHLAND-LEXINGTON AIRPORT COMMISSION, SO AS TO REVISE THE PROCEDURE TO APPOINT THE MEMBERS SELECTED BY THE RICHLAND COUNTY LEGISLATIVE DELEGATION.

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

H. 3957 -- Reps. Harrison, Bales, McLeod and Funderburk: A BILL TO DESIGNATE SECTION 3 OF ACT 292 OF 1985, RELATING TO THE RICHLAND-LEXINGTON COUNTY AIRPORT COMMISSION’S AUTHORITY TO MAKE APPLICATION TO THE FOREIGN-TRADE ZONES BOARD FOR THE PURPOSE OF ESTABLISHING, OPERATING, AND MAINTAINING FOREIGN‑TRADE ZONES AS SECTION 55-11-430 OF THE 1976 CODE; AND TO AMEND SECTION 55-11-430, RELATING TO THE RICHLAND-LEXINGTON COUNTY AIRPORT COMMISSION’S AUTHORITY TO MAKE APPLICATION TO THE FOREIGN‑TRADE ZONES BOARD FOR THE PURPOSE OF ESTABLISHING, OPERATING, AND MAINTAINING FOREIGN‑TRADE ZONES, SO AS TO EXPAND THE AREA WITHIN THE STATE IN WHICH THE COMMISSION MAY ESTABLISH FOREIGN-TRADE ZONES.

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

H. 3978 -- Rep. Barfield: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG VALLEY FORGE ROAD IN HORRY COUNTY LOCATED BETWEEN ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 410 AND LOUISVILLE ROAD “ELISHA TYLER MEMORIAL BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS “ELISHA TYLER MEMORIAL BRIDGE”.

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

H. 3984 -- Reps. Howard, 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, Cooper, Corbin, 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, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, 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, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR WONDERFUL EFFORTS IN HELPING SOUTH CAROLINA’S YOUTH PREPARE FOR A PRODUCTIVE LIFE, TO RECOGNIZE THE TWELVE YOUNG PEOPLE FROM DIFFERENT BOYS & GIRLS CLUBS THROUGHOUT THE STATE WHO HAVE BEEN NAMED 2011 YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS, AND TO DECLARE THURSDAY, APRIL 14, 2011, AS “BOYS AND GIRLS CLUBS DAY” AT THE STATE HOUSE.

The Concurrent Resolution was introduced and referred to the General Committee.

H. 4002 -- Reps. Alexander, Brantley, J. E. Smith, Spires, Knight, Brannon, Corbin, Ott, King, McLeod, Parker, Bales, Jefferson, McEachern, Ballentine, Branham, Cobb-Hunter, Crosby, Dillard, Hardwick, Hearn, Herbkersman, Long, J. M. Neal, Pope, G. M. Smith and G. R. Smith: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM, AND TO DECLARE APRIL AS CHILD ABUSE PREVENTION MONTH IN SOUTH CAROLINA.

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

H. 4004 -- Reps. Owens, Bikas, Hiott and Skelton: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE EASLEY COMBINED UTILITIES, AND TO CONGRATULATE THE ORGANIZATION, UPON THE OCCASION OF ITS CENTENNIAL ANNIVERSARY, FOR ITS DEDICATION IN PROVIDING SERVICES TO THE COMMUNITY OF EASLEY.

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

**REPORTS OF STANDING COMMITTEES**

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

S. 312 -- Senators Davis, McConnell, Peeler, Bright, Massey, Shoopman, S. Martin, Ryberg, Verdin and Rose: A BILL TO AMEND SECTION 2‑65‑15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA FEDERAL AND OTHER FUNDS OVERSIGHT ACT, SO AS TO REVISE THE DEFINITION OF “MATCHING FUNDS” TO INCLUDE BOTH GENERAL FUND MONIES AND OTHER FUND MONIES TO BE USED TO MEET FEDERAL MATCH REQUIREMENTS; TO AMEND SECTION 2‑65‑20, RELATING TO THE APPROPRIATION OF ANTICIPATED FEDERAL FUNDS AND OTHER FUNDS BY THE GENERAL ASSEMBLY IN APPROPRIATIONS ACTS, SO AS TO REQUIRE STATE AGENCIES RECEIVING FEDERAL FUNDS TO PROVIDE IN BUDGET SUBMISSIONS FOR THE PROPOSED BUDGET DETAILS OF CONDITIONS IMPOSED ON THE STATE APPLICABLE TO FEDERAL FUNDS INCLUDED IN THE AGENCY’S BUDGET SUBMISSION, REQUIRE THE RECOMMENDED BUDGET SPECIFICALLY TO ACCEPT IN DETAIL THOSE CONDITIONS WHEN FEDERAL FUNDS ARE INCLUDED IN THE PROPOSED BUDGET, AND TO CONFORM THE SECTION TO REFLECT THE PROVISION OF LAW ASSIGNING TO THE GOVERNOR THE DUTY OF PRODUCING A PROPOSED BUDGET TO THE GENERAL ASSEMBLY; AND TO AMEND SECTION 2‑65‑30, RELATING TO EXPENDITURE BY A STATE AGENCY OF UNANTICIPATED FEDERAL FUNDS AND PRIVATE GRANT FUNDS NOT APPROPRIATED IN APPROPRIATIONS ACTS, SO AS TO REQUIRE THE AGENCY’S SUBMISSION OF AN EXPENDITURE PROPOSAL FOR THE ANTICIPATED FUNDS TO THE STATE BUDGET AND CONTROL BOARD TO INCLUDE THE CONDITIONS IMPOSED ON THE STATE’S RECEIPT AND EXPENDITURE OF THE FEDERAL FUNDS AND, IN AUTHORIZING THE RECEIPT AND EXPENDITURE, THE BOARD’S ACCEPTANCE OF THE CONDITIONS.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator PEELER from the Committee on Medical Affairs submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2009, and to expire June 30, 2013

At-Large:

Allen Amsler, 118 Harbra Court, Lexington, SC 29072 *VICE* Paul C. Aughtry III

Received as information.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2009, and to expire June 30, 2013

4th Congressional District:

L. Clarence Batts, Jr., 105 Rockport Way, Pacolet, SC 29372 *VICE* Dr. M. David Mitchell

Received as information.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2007, and to expire June 30, 2011

6th Congressional District:

John O. Hutto, Sr., 1025 Moss Street, Orangeburg, SC 29115 *VICE* Dr. Coleman Buckhouse

Received as information.

Reappointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2011, and to expire June 30, 2015

6th Congressional District:

John O. Hutto, Sr., 1025 Moss Street, Orangeburg, SC 29115

Received as information.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2009, and to expire June 30, 2013

5th Congressional District:

Ann B. Kirol, 1265 Rittenhouse Lane, Rock Hill, SC 29732 *VICE* Glenn McCall

Received as information.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2007, and to expire June 30, 2011

1st Congressional District:

Mark Lutz, 60 On the Harbor Drive, Mt. Pleasant, SC 29464 *VICE* Edwin Cooper III (resigned)

Received as information.

Reappointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2011, and to expire June 30, 2015

1st Congressional District:

Mark Lutz, 60 On the Harbor Drive, Mt. Pleasant, SC 29464

Received as information.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2009, and to expire June 30, 2013

2nd Congressional District:

Robert Kenyon Wells, 120 Morning Shore Court, Lexington, SC 29072 *VICE* Henry Scott

Received as information.

**HOUSE CONCURRENCES**

S. 754 -- Senators Scott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MAJOR GENERAL OSBORNE EUGENE POWELL, JR. AND TO COMMEND HIM FOR HIS OUTSTANDING SERVICE, HIS TIRELESS EFFORTS, AND HIS SELFLESS COMMITMENT OF TIME AND RESOURCES FOR THE GREAT BENEFIT OF THE SOUTH CAROLINA MILITARY DEPARTMENT.

Returned with concurrence.

Received as information.

S. 755 -- Senators Scott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JOHN A. SHULER, DEPUTY ADJUTANT GENERAL FOR STATE OPERATIONS OF THE OFFICE OF THE ADJUTANT GENERAL, AND TO CONGRATULATE HIM, UPON THE OCCASION OF HIS RETIREMENT FROM THE MILITARY DEPARTMENT OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

**Message from the House**

Columbia, S.C., March 31, 2011

Mr. President and Senators:

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

H. 3625 -- Reps. J.R. Smith, Hixon and Taylor: A BILL TO AMEND SECTION 8‑13‑735, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITION AGAINST A PERSON, WHO AT THE SAME TIME SERVES ON THE GOVERNING BODY OF A STATE OR LOCAL POLITICAL SUBDIVISION BOARD OR COMMISSION AND AS AN EMPLOYEE OF THE SAME BOARD OR COMMISSION OR IN A POSITION WHICH IS SUBJECT TO THE CONTROL OF THE BOARD OR COMMISSION, MAKING OR PARTICIPATING IN A DECISION AFFECTING HIS ECONOMIC INTERESTS, SO AS TO PROHIBIT A PERSON FROM SERVING IN BOTH POSITIONS AT THE SAME TIME.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 31, 2011

Mr. President and Senators:

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

H. 3004 -- Reps. Ballentine, Norman, Viers, Lucas, Simrill, Huggins, G.M. Smith, G.R. Smith, Loftis, Bedingfield, Hamilton, Stringer, Nanney, Lowe, Young, Willis, Bowen, D.C. Moss, Agnew, Pope, Daning, Thayer, Harrison, Allison, Taylor, Ryan, McCoy, Hixon, Bingham, Long, Whipper, R.L. Brown, Atwater, Henderson, Horne and Harrell: A BILL TO ENACT THE “SPENDING ACCOUNTABILITY ACT OF 2011”; AND TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑7‑125 SO AS TO REQUIRE CERTAIN BILLS AND JOINT RESOLUTIONS TO RECEIVE A RECORDED ROLL CALL VOTE AT VARIOUS STAGES OF THEIR PASSAGE BY THE HOUSE OF REPRESENTATIVES AND THE SENATE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**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. 3399 -- Reps. Rutherford and Owens: A BILL TO AMEND JOINT RESOLUTION 263 OF 1998 RELATING TO THE GRANTING OF CONCURRENT FEDERAL LAW ENFORCEMENT JURISDICTION OVER THE NATIONAL ADVOCACY CENTER LOCATED ON THE COLUMBIA CAMPUS OF THE UNIVERSITY OF SOUTH CAROLINA IN RICHLAND COUNTY, SO AS TO EXTEND THAT CONCURRENT FEDERAL JURISDICTION TO ADJACENT FEDERALLY OCCUPIED PROPERTY AND TO THE INN AT USC AND THE KIRKLAND APARTMENT BUILDING LOCATED RESPECTIVELY AT 1619 PENDLETON STREET AND 1611 PENDLETON STREET IN THE CITY OF COLUMBIA, SOUTH CAROLINA AND TO DESIGNATE THE TEXT OF JOINT RESOLUTION 263 OF 1998, AS AMENDED BY THIS ACT, AS SECTION 3‑3‑350 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976.

**THIRD READING BILLS**

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

S. 568 -- Senators L. Martin and Ford: A BILL TO AMEND SECTION 16‑3‑740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TESTING OF CERTAIN OFFENDERS FOR HEPATITIS B AND HUMAN IMMUNODEFICIENCY VIRUS (HIV), SO AS TO FURTHER CLARIFY OFFENDERS WHO MUST BE TESTED AND THE TIME FRAME THAT TESTING MUST BE CONDUCTED AND PROVIDE FOR FOLLOW‑UP TESTING FOR HIV WHEN MEDICALLY APPROPRIATE.

S. 721 -- Senator Massey: A BILL TO AMEND ACT 955 OF 1974, AS AMENDED, RELATING TO THE COMPENSATION OF THE EDGEFIELD COUNTY DISTRICT SCHOOL BOARD OF TRUSTEES, TO PROVIDE THAT THE TRUSTEES SHALL RECEIVE COMPENSATION AGREED UPON BY THE BOARD.

On motion of Senator MASSEY

**READ THE SECOND TIME**

S. 53 -- Senators L. Martin, Leventis and Ford: A BILL TO AMEND CHAPTER 3, TITLE 16 OF THE 1976 CODE, BY ADDING ARTICLE 19 TO ESTABLISH A PROCEDURE FOR THE ISSUANCE OF PERMANENT AND EMERGENCY CIVIL NO‑CONTACT ORDERS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE DURATION OF CIVIL NO‑CONTACT ORDERS, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE A PENALTY FOR THE VIOLATION OF CIVIL NO‑CONTACT ORDERS.

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 43; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

S. 692 -- Senators Jackson, Courson, Scott and Lourie: A BILL TO AMEND SECTION 7‑27‑405, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RICHLAND COUNTY ELECTION COMMISSION AND THE RICHLAND COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE RICHLAND COUNTY ELECTION COMMISSION AND THE RICHLAND COUNTY BOARD OF REGISTRATION INTO A SINGLE ENTITY.

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 6; Nays 0; Present 35**

**AYES**

Courson Jackson Land

Leventis Lourie Scott

**Total--6**

**NAYS**

**Total--0**

**PRESENT**

Alexander Anderson Bright

Bryant Campbell Campsen

Cromer Davis Elliott

Fair Grooms Hayes

Hutto Knotts Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill Nicholson O'Dell

Peeler Pinckney Reese

Rose Ryberg Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--35**

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

Senator LEVENTIS, with unanimous consent, spoke on the Bill.

**AMENDED, READ THE SECOND TIME**

S. 211 -- Senators Matthews, Land, Leatherman, Leventis, Hutto and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 11 SO AS TO ESTABLISH THE “I‑95 CORRIDOR AUTHORITY ACT” AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND POWERS OF THE AUTHORITY.

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

Senator MATTHEWS proposed the following amendment (DKA\3558SD11), which was adopted:

Amend the bill, as and if amended, Section 11-54-25(A), SECTION 1, by adding a new item to be appropriately numbered immediately after item (9), page 3, to read:

/ ( ) the President of Claflin University, or his designee; and /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

The amendment was adopted.

The question then was the second reading of the Bill.

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

**Ayes 35; Nays 6**

**AYES**

Alexander Anderson Campbell

Courson Elliott Fair

Ford Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Pinckney Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--35**

**NAYS**

Bright Bryant Campsen

Cromer Davis *Martin, Shane*

**Total--6**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 435 -- Senators Elliott, Bryant, Ford and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑1‑180 SO AS TO REQUIRE LOCAL GOVERNMENTAL ENTITIES, AGENCIES, ORGANIZATIONS, OR INDIVIDUALS THAT RECEIVE, COLLECT, OR SPEND PUBLIC FUNDS DERIVED FROM STATE OR LOCAL TAX REVENUE TO FILE PERIODIC EXPENDITURE REPORTS WITH THE STATE OR LOCAL GOVERNMENTAL ENTITY OR AGENCY THAT PROVIDED, COLLECTED, OR SPENT THE PUBLIC FUNDS.

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\11531DG11), which was adopted:

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

/ SECTION 1. Article 15, Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Section 1‑1‑1050. (A) By no later than July 1, 2012, a non‑governmental entity, agency, or organization, whether for or not‑for‑profit, that received more than one hundred dollars in county or municipal grants in the previous calendar year, must begin quarterly submissions of an expenditure report to the jurisdiction awarding the funds. For purposes of this section, ‘grants’ are those monies derived either from county or municipal tax revenue or appropriated to the jurisdiction by the General Assembly that are awarded, gifted, designated, or contributed by a jurisdiction to an entity, agency, or organization, whether by formula or at the jurisdiction’s discretion for any purpose, including revenues distributed pursuant to Section 4‑10‑970(B).  ‘Grants’ do not include payments for direct services or goods.

(B) The expenditure report must include:

(1) the amount of funds received,

(2) the amount of funds expended,

(3) the purposes for which the funds were expended, and

(4) any other information required by the jurisdiction so as to promote transparency and public confidence in how the grantee entities, agencies, and organizations expend the funds.

(C) Unless all or portions of the report may be redacted or exempted pursuant to subsection (D), a county and municipality receiving expenditure reports required by this section shall prominently display the reports on the jurisdiction’s Internet website. The reports must be downloadable and maintained for three years. If a jurisdiction does not maintain an Internet website, the register must be maintained on the Internet website of the Comptroller General. Also, a jurisdiction shall display the name and amount of funds awarded to any entity, agency, or organization that has failed to timely submit an expenditure report.

(D) Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this section. A county or municipality may also exempt disclosure of any expenditure or reimbursement that the jurisdiction determines is reasonable and necessary to exclude. If a jurisdiction excludes an expenditure or reimbursement, the jurisdiction must, in general terms, state the reasons for the exclusion. The statement shall be displayed in the same manner and location as the expenditure report.

(E) To avoid additional expense for county and municipal governments in the implementation of this section, the expenditure reporting must be effected using existing resources with no additional expense to the jurisdiction. The Office of the Comptroller General must be available to county and municipal governments, upon their formal request, to provide technical assistance in meeting the requirements of this section. The Office of the Comptroller General shall not intercede on behalf of jurisdictions unless a formal request is made.”

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.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Courson Cromer Davis

Elliott Fair Ford

Hayes Hutto Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McConnell

McGill Nicholson O'Dell

Peeler Pinckney Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

**Total--0**

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

**MOTION TO RECONSIDER ADOPTED**

H. 3287 -- Reps. Hardwick and Hodges: A BILL TO AMEND SECTION 50‑21‑190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ABANDONMENT OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO PROVIDE THAT AN ABANDONED WATERCRAFT MAY BE REMOVED AND DISPOSED OF BY ANY GOVERNMENT AGENCY THAT HAS JURISDICTION OVER THE AREA WHERE THE ABANDONED WATERCRAFT IS LOCATED, AND TO PROVIDE THAT A WATERCRAFT ABANDONED FOR AT LEAST NINETY DAYS MAY BE CLAIMED BY ANY PERSON OR ENTITY AS ABANDONED PROPERTY.

Having voted on the prevailing side, Senator CROMER moved to reconsider the vote whereby the Bill failed to receive a second reading on March 30, 2011.

The motion to reconsider was adopted.

The Bill was returned to the Statewide Second Reading Calendar for consideration.

**ADOPTED**

S. 748 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO THE RULES OF PROCEDURE OF THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT, AS PROMULGATED BY THE ADMINISTRATIVE LAW COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 1‑23‑650 OF THE 1976 CODE AND SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being adoption of the Concurrent Resolution.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Courson Cromer Davis

Elliott Fair Ford

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

**Total--0**

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

**ADOPTED**

S. 749 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO RULE 219 OF THE SOUTH CAROLINA APPELLATE COURT RULES, AS PROMULGATED BY THE SOUTH CAROLINA SUPREME COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being adoption of the Concurrent Resolution.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Courson Cromer Davis

Elliott Fair Ford

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 30 -- Senators McConnell, Leventis and Ford: A BILL TO AMEND SECTION 22‑5‑110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATED TO MAGISTRATES’ POWERS AND DUTIES REGARDING THE ISSUANCE OF ARREST WARRANTS AND COURTESY SUMMONS, SO AS TO PROVIDE THAT NO ARREST WARRANT SHALL BE ISSUED FOR THE ARREST OF A PERSON UNLESS SOUGHT BY A MEMBER OF A LAW ENFORCEMENT AGENCY ACTING IN THEIR OFFICIAL CAPACITY; AND TO PROVIDE THAT IF AN ARREST WARRANT IS SOUGHT BY SOMEONE OTHER THAN A LAW ENFORCEMENT OFFICER, THE COURT MUST ISSUE A COURTESY SUMMONS, EXCEPT WHEN A BUSINESS IS SEEKING AN ARREST WARRANT FOR ANY OFFENSE AGAINST THE BUSINESS OR A PERSON IS SEEKING AN ARREST WARRANT FOR A FRAUDULENT CHECK, IF THE FRAUDULENT CHECK IS PRESENTED TO THE MAGISTRATE AT THE TIME THE WARRANT IS SOUGHT.

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

The Committee on Judiciary proposed the following amendment (JUD0030.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 9-25, and inserting:

/ (B)(1) No arrest warrant shall be issued by a magistrate unless sought by:

(a) a law enforcement officer acting in the officer’s official capacity;

(b) a business seeking an arrest warrant for an offense against the business;

(c) a person seeking an arrest warrant for a fraudulent check, if the fraudulent check or a legal copy of the fraudulent check is presented to the magistrate at the time the warrant is sought; or

(d) a person seeking an arrest warrant for offenses involving criminal domestic violence, harassment, assault and battery in the second degree, or assault and battery in the third degree.

(2) If an arrest warrant is sought by a person other than a person listed in subitem (B)(1), the court must issue a courtesy summons. If, after being served the summons, a defendant named in the summons fails to appear before the court pursuant to the summons, the court may issue an arrest warrant for the underlying offense based upon the original sworn statement of the person who sought the summons, provided the sworn statement establishes probable cause that the underlying offense was committed.” /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**AMENDED, CARRIED OVER**

S. 473 -- Senators Lourie, Setzler and Ford: A BILL TO AMEND CHAPTER 102, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATHLETE AGENTS AND STUDENT AGENTS, SO AS TO REVISE DEFINITIONS, TO INCLUDE DEFINITIONS FOR “ADMINISTRATOR”, “DEPARTMENT”, AND “FINANCIAL SERVICES CONTRACT”, TO REVISE THE POWERS OF THE DEPARTMENT OF CONSUMER AFFAIRS WITH RESPECT TO ATHLETE AGENTS AND STUDENT ATHLETES, TO PROVIDE FOR INSPECTION OF OUT‑OF‑STATE RECORDS, TO REQUIRE AN APPLICANT TO UNDERGO A NATIONAL AND STATE CRIMINAL HISTORY RECORDS CHECK AND TO PROVIDE FINGERPRINTS, TO PROVIDE FOR REPORTING AND MAINTENANCE OF CRIMINAL HISTORY RECORDS CHECK RESULTS, TO REVISE CONSIDERATIONS THE DEPARTMENT MAY MAKE WHEN ISSUING A CERTIFICATE OF REGISTRATION, TO REVISE THE TIME IN WHICH A CERTIFICATE OF REGISTRATION IS VALID AND TO PROVIDE THAT THE CERTIFICATE IS NONTRANSFERABLE AND NONASSIGNABLE, TO PROVIDE THAT IF A PERSON AGGRIEVED BY DEPARTMENT ACTION FAILS TO REQUEST A CONTESTED CASE THE ADMINISTRATIVE ACTION IS FINAL, TO PROVIDE THAT FUNDS COLLECTED BY THE DEPARTMENT MUST BE USED TO IMPLEMENT THE PROVISIONS OF THIS CHAPTER, TO REQUIRE THAT THE ADDRESS OF THE ATHLETE AGENT BE INCLUDED IN AN AGENCY CONTRACT, TO REVISE WHAT THE CONTRACT MUST CONTAIN, TO PROVIDE ADDITIONAL PROHIBITED ACTS OF ATHLETE AGENTS, TO ALLOW THE DEPARTMENT TO ISSUE A CEASE AND DESIST ORDER AND IMPOSE A PENALTY UPON FINDING OF MISCONDUCT, TO PROVIDE REPORTING REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS, AND TO PROVIDE THAT THE DEPARTMENT MAY PROMULGATE REGULATIONS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS CHAPTER.

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

Senator LOURIE proposed the following amendment (473R002.JL), which was adopted:

Amend the bill, as and if amended, page 11, by striking lines 39‑41.

Renumber sections to conform.

Amend title to conform.

Senator LOURIE explained the amendment.

The amendment was adopted.

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

**CARRIED OVER**

S. 225 -- Senators Knotts, Ford and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑3890 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR CERTAIN PERSONS WHO ARE OPERATING A MOTOR VEHICLE TO USE A WIRELESS ELECTRONIC COMMUNICATION DEVICE TO COMPOSE, SEND, OR READ A TEXT‑BASED COMMUNICATION AND TO PROVIDE PENALTIES FOR VIOLATING THIS PROVISION; AND TO AMEND SECTION 56‑1‑720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON’S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT ONE POINT MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF USING A WIRELESS ELECTRONIC COMMUNICATION DEVICE TO COMPOSE, SEND, OR READ A TEXT‑BASED COMMUNICATION WHILE OPERATING A MOTOR VEHICLE.

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

S. 385 -- Senators Fair, Rose, Campsen and Peeler: A BILL TO AMEND CHAPTER 1, TITLE 24, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF CORRECTIONS, SO AS TO DEVOLVE ITS DUTIES, FUNCTIONS, AND RESPONSIBILITIES UPON THE DEPARTMENT OF INSTITUTIONAL AND COMMUNITY CORRECTIONS; AND TO AMEND CHAPTER 21, TITLE 24, RELATING TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO DEVOLVE ITS DUTIES, FUNCTIONS, AND RESPONSIBILITIES UPON THE DEPARTMENT OF INSTITUTIONAL AND COMMUNITY CORRECTIONS.

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

S. 694 -- Senator Bryant: A BILL TO AMEND SECTION 41‑15‑520 OF THE 1976 CODE, RELATING TO REMEDIES FOR EMPLOYEES CHARGING DISCRIMINATION, TO PROVIDE FOR REFERRAL TO THE UNITED STATES DEPARTMENT OF LABOR ALLEGATIONS MADE BY A PRIVATE SECTOR EMPLOYEE OF A VIOLATION OF SECTION 41‑15‑510 AND TO PROVIDE FOR CIVIL REMEDIES.

On motion of Senators BRYANT and KNOTTS, the Bill was carried over.

S. 750 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO RULE 29 OF THE SOUTH CAROLINA RULES OF CRIMINAL PROCEDURE, AS PROMULGATED BY THE SOUTH CAROLINA SUPREME COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

On motion of Senator MALLOY, the Concurrent Resolution was carried over.

S. 751 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO RULES 16, 26, 28, 33, 34, 37, AND 45 OF THE SOUTH CAROLINA RULES OF CIVIL PROCEDURE, AS PROMULGATED BY THE SOUTH CAROLINA SUPREME COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

On motion of Senator MALLOY, the Concurrent Resolution was carried over.

S. 752 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO RULE 3 OF THE SOUTH CAROLINA RULES OF CIVIL PROCEDURE, AS PROMULGATED BY THE SOUTH CAROLINA SUPREME COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

On motion of Senator MALLOY, the Concurrent Resolution was carried over.

S. 753 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO RULE 4 AND RULE 10 OF THE OFFICE OF MOTOR VEHICLE HEARINGS OF THE ADMINISTRATIVE LAW COURT, AS PROMULGATED BY THE CHIEF JUDGE OF THE ADMINISTRATIVE LAW COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 1‑23‑660 OF THE 1976 CODE AND SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

On motion of Senator MALLOY, the Concurrent Resolution was carried over.

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

**MOTION ADOPTED**

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

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**READ THE THIRD TIME, SENT TO THE HOUSE**

S. 431 -- Senators McConnell, Rankin, Setzler, Campbell, Shoopman, Reese, Bright, Alexander, S. Martin, Fair, Cromer, Bryant, Elliott, O’Dell, Campsen, Ford, Rose, Lourie, Cleary, Verdin, McGill, Williams, Nicholson, Knotts, Land and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑61‑70 SO AS TO PROVIDE THAT A LIABILITY INSURANCE POLICY ISSUED BY AN INSURER AND COVERING A CONSTRUCTION PROFESSIONAL IN THIS STATE MUST BE BROADLY CONSTRUED IN FAVOR OF COVERAGE, AND TO PROVIDE THAT WORK OF A CONSTRUCTION PROFESSIONAL RESULTING IN PROPERTY DAMAGE IN CERTAIN CIRCUMSTANCES CONSTITUTES AN OCCURRENCE AS COMMONLY DEFINED IN LIABILITY INSURANCE AND IS NOT THE INTENDED OR EXPECTED CONSEQUENCE OF THE WORK OF THE CONSTRUCTION PROFESSIONAL.

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

Senator MASSEY spoke on the Bill.

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

**Ayes 39; Nays 2**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Shane* Massey

Matthews McConnell McGill

Nicholson O’Dell Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

*Martin, Larry* Peeler

**Total--2**

The Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**DEBATE INTERRUPTED**

H. 3375 -- Reps. Harrell, Lucas, Cooper, Hardwick, Harrison, Owens, Sandifer, White, Bingham, Atwater, Parker, Crawford, Loftis, Bowen, G.R. Smith, Bedingfield, Toole, Sottile, V.S. Moss, Forrester, Bikas, Huggins, Brady, Allison, Pinson, Frye, Whitmire, Skelton, Nanney, Henderson, Limehouse, Corbin, Barfield, Battle, Clemmons, Cole, Crosby, Daning, Gambrell, Hamilton, Hiott, Hixon, Horne, Lowe, D.C. Moss, Murphy, Norman, Patrick, Simrill, G.M. Smith, J.R. Smith, Spires, Taylor, Willis, Young, Herbkersman, Ballentine, Thayer, Bannister, McCoy, Tallon, Stringer, Long, Hayes, Ott, J.M. Neal, Vick, G.A. Brown, Branham, Anthony, Bowers, Sellers, Quinn, Hearn, Edge, Anderson, Erickson, Knight, Chumley, Butler Garrick and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA FAIRNESS IN CIVIL JUSTICE ACT OF 2011” BY AMENDING ARTICLE 5, CHAPTER 32, TITLE 15, RELATING TO PUNITIVE DAMAGES, SO AS TO PROVIDE LIMITS ON THE AWARD OF PUNITIVE DAMAGES AND TO PROVIDE FOR CERTAIN PROCEDURES AND REQUIREMENTS RELATING TO THE AWARD OF THESE DAMAGES; BY ADDING SECTIONS 1‑7‑750 AND 1-7-760 SO AS TO ENACT THE “PRIVATE ATTORNEY RETENTION SUNSHINE ACT” TO GOVERN THE RETENTION OF PRIVATE ATTORNEYS BY THE ATTORNEY GENERAL OR A SOLICITOR AND TO PROVIDE TERMS AND CONDITIONS GOVERNING THE RETAINER AGREEMENT INCLUDING LIMITS ON THE COMPENSATION OF OUTSIDE COUNSEL IN CONTINGENCY FEE CASES, AND TO PROVIDE FOR THE SUSPENSION OF THE LIMITATIONS UNDER CERTAIN EXCEPTIONAL CIRCUMSTANCES; TO AMEND SECTION 15‑3‑670, RELATING TO LIMITATIONS ON ACTIONS BASED ON UNSAFE OR DEFECTIVE IMPROVEMENTS TO REAL PROPERTY, SO AS TO PROVIDE THAT THE VIOLATION OF A BUILDING CODE DOES NOT CONSTITUTE PER SE FRAUD, GROSS NEGLIGENCE, OR RECKLESSNESS BUT MAY BE ADMISSIBLE AS EVIDENCE; TO AMEND SECTION 18‑9‑130, AS AMENDED, RELATING TO THE EFFECT OF A NOTICE OF APPEAL ON THE EXECUTION OF JUDGMENT, SO AS TO PROVIDE LIMITS FOR APPEAL BONDS; AND TO AMEND SECTION 56‑5‑6540, AS AMENDED, RELATING TO THE PENALTIES FOR THE MANDATORY USE OF SEATBELTS, SO AS TO DELETE THE PROVISION THAT PROVIDED THAT A VIOLATION FOR FAILURE TO WEAR A SEATBELT IS NOT NEGLIGENCE PER SE OR COMPARATIVE NEGLIGENCE AND IS NOT ADMISSIBLE IN A CIVIL ACTION.

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

Senator LARRY MARTIN was recognized to explain the Bill.

**Motion Adopted**

On motion of Senator McCONNELL, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

With Senator LARRY MARTIN retaining the floor, on motion of Senator McCONNELL, with unanimous consent, debate was interrupted by the Executive Session and then adjournment.

**EXECUTIVE SESSION**

On motion of Senator McCONNELL, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENTS**

**Confirmations**

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

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2010, and to expire July 1, 2012

Research Institutions:

Leah B. Moody, 840 Brunswick Drive, Rock Hill, SC 29730 *VICE* Dr. Charles Thomas, Jr.

The question was confirmation of Ms. Moody.

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

**Ayes 34; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Hutto Jackson

Knotts Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

Peeler Pinckney Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin

**Total--34**

**NAYS**

**Total--0**

The appointment of Ms. Moody was confirmed.

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2010, and to expire July 1, 2012

Technical School:

Charles Munns, 123 Trippi Lane, Aiken, SC 29803 *VICE* Mr. J. Neal Workman, Jr.

The question was confirmation of Mr. Munns.

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

**Ayes 34; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Hutto Jackson

Knotts Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

Peeler Pinckney Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin

**Total--34**

**NAYS**

**Total--0**

The appointment of Mr. Munns was confirmed.

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2008, and to expire July 1, 2012

At-Large:

Elizabeth Jackson, 102 Tadpole Court, Lexington, SC 29072 *VICE* Cynthia Mosteller

The question was confirmation of Ms. Jackson.

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

**Ayes 34; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Hutto Jackson

Knotts Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

Peeler Pinckney Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin

**Total--34**

**NAYS**

**Total--0**

The appointment of Ms. Jackson was confirmed.

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence July 1, 2010, and to expire July 1, 2012

Public University Representative:

Natasha M. Hanna, 874 Denali Drive, Conway, SC 29526 *VICE* Kenneth Jackson

The question was confirmation of Ms. Hanna.

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

**Ayes 34; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Hutto Jackson

Knotts Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

Peeler Pinckney Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin

**Total--34**

**NAYS**

**Total--0**

The appointment of Ms. Hanna was confirmed.

Initial Appointment, South Carolina State Commission on Higher Education, with the term to commence June 30, 2010, and to expire June 30, 2014

Private College Presidents:

Rodney A. Smolla, 1209 Roe Ford Road, Greenville, SC 29617 *VICE* Dr. Mitchell Zais (resigned)

The question was confirmation of Mr. Smolla.

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

**Ayes 34; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Hutto Jackson

Knotts Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

Peeler Pinckney Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin

**Total--34**

**NAYS**

**Total--0**

The appointment of Mr. Smolla was confirmed.

**LOCAL APPOINTMENTS**

**Confirmations**

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

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

John Alonzo Chaney, P. O. Box 1173, Fairfax, SC 29827

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

James Tillman Busby, 1200 Good Hope Church Road, Anderson, SC 29684

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

Sherry E. Mattison, 309 Oakwood Estates Drive, Anderson, SC 29621

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

Kristi F. Curtis, 1145 Boardwalk, Sumter, SC 29150 *VICE* Kathy Ward (resigned)

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

James Edward Thomas, P. O. Box 1765, Hartsville, SC 29550

Initial Appointment, Savannah River Site Redevelopment Authority, with the term to commence October 21, 2010, and to expire October 21, 2014

General Public:

Thomas Williams, 2686 Highway 278, Barnwell, SC 29812 *VICE* Robert Cooper (resigned)

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

James Albert Cox, 208 Mills Street, West Pelzer, SC 29669

**MOTION ADOPTED**

On motion of Senator SHANE MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Delores Shepard Stockman of Spartanburg, S.C. Mrs. Stockman was a loving wife to Leon Edwin Stockman and was married to him for 52 years before he preceded her in death. She was a devoted mother and grandmother. She was very active in the Hayne Baptist Church (now United Baptist), having served as its secretary for 25 years and as co-treasurer with her husband.

and

**MOTION ADOPTED**

On motion of Senator LEVENTIS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Gerald Johnson “Jerry” Dix, Col. USAF (Ret.), who at the age of 93, passed on Sunday, March 20th, 2011. Col. Dix was the beloved husband of Gertrude Wulf Dix and beloved father of sons, Robert W. (Helen) Geyer of Lexington and Edward H. Geyer of St. Louis, MO, and  daughter, Susan Geyer Smith of Scottsdale, AZ.  He was born in Sullivan, Indiana, and graduated from Purdue University, where he was light-weight boxing champion. He entered the Army Air Corps in 1940 and was credited with flying over 60 combat missions in New Guinea against the Japanese. Col. Dix was forced to abandon the USS Pecos ship that was attacked by dive-bombing aircraft. He went on to fly 70 missions in Europe, including the longest combat flight ever made by a single-engine bomber from England to Poland and back. He was shot at on several occasions, survived a bullet on D-Day, crash landed on one of his missions in Europe, and became a prisoner of war for 11 months, during which time he was taken to Aviliar Prison in Frankfort, Germany, for interrogation. He became a full Colonel at the young age of 27, was a Base Commander at Shaw Air Force Base and later served as an advisor to both the Royal Hellenic Air Force in Greece and to the Colorado Air National Guard in Denver, CO. Some of his many decorations included the Silver Star Medal, the Bronze Star Medal, Air Medal with three Oak Leaf Clusters, the Distinguished Flying Cross with three Oak Leaf Clusters and the Purple Heart. Throughout his career he considered himself a survivor, never a hero. After his retirement from the US Air Force, he returned to Sumter where he became Executive Vice President of the Greater Sumter Chamber of Commerce, served as Secretary of the Sumter County Development Board, and worked for NBSC as Sr. Vice President. He loved spending time in his wood-working shop making furniture, traveling and playing golf. He was a member of the Thalian Club, a 49-year member of the Kiwanis Club, the VFW Post #15, M.O.A.A. and the First Presbyterian Church. Col. Dix was a hero to those who knew and loved him, and he will be missed by all who were blessed to have crossed paths with him over the years.

**ADJOURNMENT**

At 1:14 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

\* \* \*