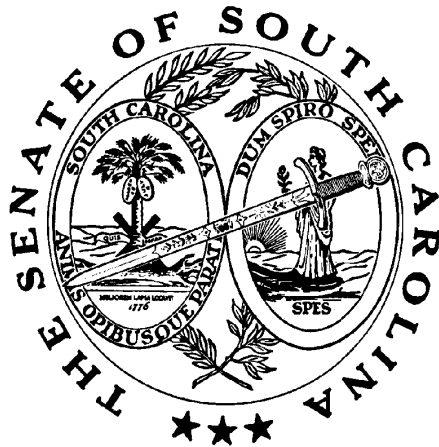


NO. 21

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2008

TUESDAY, FEBRUARY 12, 2008

Tuesday, February 12, 2008
(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:

“They heard the sound of the Lord God walking in the garden at the time of the evening breeze, and the man and his wife hid themselves from the presence of the Lord among the trees of the garden.”

(Genesis 3:8)

Let us pray:

Holy Lord, we thank You for the opportunities to be Your servants. Help us always to be so dedicated to honor and truth and mutual respect that, unlike Adam and Eve, we need not hide from Your presence. Indeed, O God, here, forty years after that troubled night in Orangeburg, may we hold to the spirit that Abraham Lincoln expressed in his Second Inaugural Address, “with malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, to finish the work we are in; to bind up the nation’s wounds....” Help us all to bring further healing to the people of this State we love and seek to serve. In the Lord’s holy name we pray: Amen.

ADDENDUM TO THE JOURNAL

The following Remarks by Senators MASSEY and CAMPBELL were ordered printed in the Journal of Tuesday, January 8, 2008:

Remarks by Senator MASSEY

Thank you, Mr. PRESIDENT.

One of my political heroes once said, “Ingratitude is the cardinal sin. So, I think I would be a little remiss if didn’t begin with a few “thank you’s” -- first, to my wife, Blair, my parents, Gary and Linda, and my sister, Kim Dawn. They were all with me the whole way, and each one of them went above and beyond what anyone could expect to get me here. And for that I am extremely grateful.

There were many, many others who gave a lot of time, energy, and money during our campaign. Some of them are in the gallery today. I

[SJ]

TUESDAY, FEBRUARY 12, 2008

don't want to be accused of filibustering on my first day, so I won't identify each of you individually; but I see you up there, I know all you that you did to help, and I thank you very much.

Second, I want to thank the good people of Aiken, Edgefield, McCormick and Saluda counties who have put me in this position and have given me the opportunity to represent them.

Mr. PRESIDENT, the last time you gathered in this historic Chamber, the people of Aiken, Edgefield, McCormick and Saluda counties were represented by a different individual. For nearly 30 years, TOMMY MOORE represented our district. On behalf of his former constituents, I thank him for his service.

As we have all learned, particularly over the past week, there is increasingly throughout this country a call for change and a demand that elected representatives work together to confront the challenges we face. As the newest member of this body, and the one who most recently went through an election, I can tell you that call for change and that demand to work together is not limited to Iowa and New Hampshire; it exists here in South Carolina, as well.

The people who make this State great – and I think we all know I am not talking about those of us in this Chamber but the folks all across this State who work hard every day to better their lives and the lives of those around them – deserve a government that is efficient and effective. My purpose in being here, I believe, is to work hard with each of you everyday to accomplish that objective. I will do my best to do just that.

Mr. PRESIDENT, I thank you for this opportunity to address this body, and I thank the people of Aiken, Edgefield, McCormick and Saluda counties for having the confidence in me and giving me the opportunity to serve them.

Remarks by Senator CAMPBELL

Mr. PRESIDENT, Senators, ladies and gentlemen:

It is a real honor to be joining this body. When I look around the walls at the painted portraits and see all the history the South Carolina Senate has lead for our great State and I see all the Senators sitting here this morning on both sides of the aisle who continue to lead and make history as we go forward, I am honored and awed to be joining you.

I am replacing a dear friend of mine, Senator BILL MESCHER, whose unfortunate passing leaves a void that will be most difficult to fill and one that instills in me a sense of urgency to work very hard for

TUESDAY, FEBRUARY 12, 2008

South Carolina and Berkeley County to make Senator MESCHER and “Miss Kitty” proud of what I can help you all accomplish.

I pledge to each of you my full diligence and I will work hard to be part of this great team. I ask for your guidance and council. Please offer to me suggestions and have patience with me as I grow into this position of trust. When I do something that does not make sense, please correct me. I know each of you have stood where I am most fortunate to be standing right now so you understand.

I am very fortunate to have been given this trust by the people of Senate District 44 in Berkeley County. These people own this seat and it is a real honor for me to occupy this seat for them. I will work very hard to be their voice and to continue to earn this trust.

I would not be here without so much support from so many people and want to thank each and every one of them. These folks made many sacrifices for me -- working very hard doing so many things that it takes to be elected. I realize I am but a member of that team who benefits from their hard work.

I have had the pleasure to work with many of you in my many roles of community service from the Coastal Council of Boy Scouts to the Trident United Way, from being Chair of the South Carolina Chamber of Commerce and Chair of the South Carolina Manufacturing Alliance and serving on the BIPEC Executive Committee. These positions have allowed me to see the needs of South Carolina and hopefully, I can now help you meet these needs.

I am fortunate as I come from manufacturing where I have met a payroll, hired and fired people, budgeted and lived within a budget, and made tough choices when business was not as good as it should have been. I understand what a job means to a person and to a family -- how a good job with good benefits can change the future of a family. I have seen this up close and personal and will work hard to see we continue to maintain and create opportunities for South Carolinians all over our great State.

Before I sit down, I have to thank my wife, Vicki, who has been by my side doing so many things to make this possible. She is here this morning continuing to support me and help me be successful in this role.

I am truly honored to be here today and to be among you as we work hard to make South Carolina better. Thank you.

* * *

[SJ]

TUESDAY, FEBRUARY 12, 2008

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

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Mark C. Sanford:

Statewide Appointment

Reappointment, Northeast Drought Response Committee, with the term to commence March 1, 2008, and to expire March 1, 2012

Agricultural:

Joseph C. Johnson, 900 East Wilson Street, Dillion, SC 29536

Referred to the Committee on Agriculture and Natural Resources.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 3193

Agency: Labor, Licensing and Regulation - Panel for Dietetics

SUBJECT: Licensure and regulation of persons engaging in the practice of dietetics within the State of South Carolina

Received by Lieutenant Governor February 11, 2008

Referred to the Committee on Labor, Commerce and Industry

Legislative Review Expiration January 17, 2009

Doctor of the Day

Senator GROOMS introduced Dr. William Hueston of Charleston, S.C., Doctor of the Day.

CO-SPONSORS ADDED

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

S. 992 Sen. Bryant

S. 1006 Sen. Bryant

S. 1064 Sen. Hawkins

S. 1071 Sen. Fair

MOTION ADOPTED

On motion of Senator McCONNELL, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned

[SJ]

TUESDAY, FEBRUARY 12, 2008

to meet tomorrow at 11:50 A.M., for the purpose of the prayer and the Pledge of Allegiance, and immediately following, the Senate would recede for the purposes of attending the Joint Assembly, and at the conclusion of the Joint Assembly, the Senate would stand in recess until 2:00 P.M.

Motion to Ratify Adopted

At 12:13 P.M., Senator McCONNELL asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time tomorrow with the Speaker and the Lieutenant Governor.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1089 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA ON THE TWENTIETH ANNIVERSARY OF ITS DISCOVERERS AWARD PROGRAM, WHICH EACH YEAR HONORS SCIENTISTS WHOSE TIRELESS RESEARCH AND DEVELOPMENT OF NEW PHARMACEUTICALS HAVE GREATLY BENEFITED PEOPLE ALL OVER THE WORLD.

I:\council\bill\nbd\11980ac08.doc

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

S. 1090 -- Senators Thomas, Ford and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "THE SOUTH CAROLINA MORTGAGE LENDING ACT", BY ADDING CHAPTER 22 TO TITLE 37 SO AS TO REQUIRE THE LICENSING OF A MORTGAGE LENDER, LOAN OFFICER, LIMITED LOAN OFFICER, OR SOMEONE ACTING AS A MORTGAGE LENDER; PROVIDE DEFINITIONS; ESTABLISH QUALIFICATIONS FOR LICENSURE AND GROUNDS FOR REVOCATION, SUSPENSION, RENEWAL, AND TERMINATION; DESCRIBE PROHIBITED ACTIVITIES; PROVIDE FOR RECORD-KEEPING, TRUST AND ESCROW ACCOUNTS, AND ANNUAL REPORTS; PROVIDE FOR THE FELONY OFFENSE OF MORTGAGE FRAUD AND PENALTIES; PROVIDE FOR ENFORCEMENT OTHERWISE THROUGH THE DEPARTMENT

[SJ]

TUESDAY, FEBRUARY 12, 2008

OF CONSUMER AFFAIRS AND THROUGH CRIMINAL PENALTIES; BY AMENDING SECTIONS 37-1-301, 37-3-501, AND 37-23-20, ALL RELATING TO DEFINITIONS IN CONNECTION WITH MORTGAGE LENDING AND BROKERING AND HIGH-COST AND CONSUMER HOME LOANS, SO AS TO CONFORM DEFINITIONS, AND TO ADD A DEFINITION FOR "ADJUSTABLE RATE MORTGAGE"; BY AMENDING SECTIONS 37-23-40, 37-23-45, AND 37-23-75, ALL RELATING TO PROTECTIONS FOR THE BORROWER IN A HIGH-COST OR CONSUMER HOME LOAN TRANSACTION, SO AS TO REQUIRE CERTAIN DISCLOSURES IN CONNECTION WITH AN ADJUSTABLE RATE MORTGAGE; AND BY AMENDING CHAPTER 58 OF TITLE 40, RELATING TO THE REGISTRATION OF MORTGAGE LOAN BROKERS, SO AS TO CHANGE THE REGISTRATION REQUIREMENTS TO LICENSING REQUIREMENTS, TO REDEFINE "MORTGAGE BROKER", "EXEMPT ORGANIZATION", "RESIDENTIAL REAL PROPERTY", INTER ALIA, AND TO ADD NEW DEFINITIONS, INCLUDING "BRANCH OFFICE", "PATTERN OF RESIDENTIAL MORTGAGE FRAUD", "TABLEFUNDING", AND OTHERS; REQUIRE CERTAIN PROFESSIONAL COURSES, AN ADDITIONAL YEAR OF EXPERIENCE, AND A FINGERPRINT CHECK FOR MORTGAGE BROKERS AND MORTGAGE ORIGINATORS; TO REQUIRE CERTAIN RECORDS BE KEPT AND MADE ACCESSIBLE; ADD CERTAIN PROHIBITIONS IN CONNECTION WITH A REAL ESTATE APPRAISAL; REQUIRE AND PRESCRIBE MORTGAGE BROKER AGREEMENTS; AUTHORIZE ENFORCEMENT BY THE DEPARTMENT OF CONSUMER AFFAIRS, AND PRESCRIBE ADMINISTRATIVE PENALTIES INCLUDING FINES AND INJUNCTIONS AND CRIMINAL PENALTIES; REQUIRE CERTAIN REPORTS AND FILINGS; AND PROVIDE FOR THE FELONY OFFENSE OF MORTGAGE FRAUD AND PENALTIES.

l:\council\bill\agm\19068mm08.doc

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

S. 1091 -- Senator Thomas: A BILL TO AMEND SECTION 41-35-110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONDITIONS OF ELIGIBILITY FOR UNEMPLOYMENT BENEFITS, SO AS TO PROVIDE THAT A

[SJ]

TUESDAY, FEBRUARY 12, 2008

PERSON SEEKING OR RECEIVING UNEMPLOYMENT BENEFITS MUST SUBMIT TO RANDOM DRUG SCREENING, AND THAT BENEFITS MUST TERMINATE IF HE TWICE FAILS THIS DRUG TEST; AND TO AMEND SECTION 41-35-120, AS AMENDED, RELATING TO DISQUALIFICATION FOR UNEMPLOYMENT BENEFITS, SO AS TO PROVIDE THAT UNEMPLOYMENT BENEFITS MUST TERMINATE IF THE RECIPIENT TWICE FAILS A RANDOM DRUG TEST REQUIRED AS A CONDITION TO RECEIVE UNEMPLOYMENT BENEFITS.

l:\council\ills\ggs\22049ab08.doc

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

S. 1092 -- Senator Short: A BILL TO AMEND ARTICLE 17, CHAPTER 23, TITLE 57 OF THE 1976 CODE BY ADDING SECTION 57-23-835, TO PROVIDE THAT THE MANAGEMENT OF THE MEDIAN AND ROADSIDE VEGETATION ON INTERSTATE HIGHWAY 77 AT EXIT 65 IN CHESTER COUNTY IS DEVOLVED UPON THE CHESTER COUNTY GOVERNING AUTHORITY.

l:\s-res\lhs\002exit.dag.doc

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

S. 1093 -- Senators Fair and Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-195 SO AS TO REQUIRE A HEALTH AND ACCIDENT AND DENTAL INSURANCE POLICY TO ACKNOWLEDGE AND HONOR THE ASSIGNMENT OF BENEFITS BY AN INSURED, TO REQUIRE AN ASSIGNMENT OF BENEFITS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

l:\council\ills\dka\3774dw08.doc

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

S. 1094 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1339 SO AS TO PROHIBIT A POLITICAL ACTION COMMITTEE ORGANIZED BY OR ON BEHALF OF CERTAIN STATEWIDE OFFICIALS; AND TO AMEND SECTION 8-13-1340 OF THE 1976 CODE, SO AS TO DELETE REFERENCES TO A

[SJ]

TUESDAY, FEBRUARY 12, 2008

COMMITTEE ORGANIZED DIRECTLY OR INDIRECTLY ESTABLISHED, FINANCED, MAINTAINED, OR CONTROLLED BY A CANDIDATE OR PUBLIC OFFICIAL.

l:\s-jud\bill\sheheen\jud0047.hla.doc

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

S. 1095 -- Senator Hayes: A BILL TO AMEND SECTION 25-1-380, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ASSISTANT ADJUTANT GENERAL FOR THE ARMY, SO AS TO INCREASE THE NUMBER OF ASSISTANT ADJUTANT GENERALS TO TWO.

l:\council\bill\ggs\22050ab08.doc

Read the first time and referred to the General Committee.

H. 3816 -- Reps. G. M. Smith, Weeks and G. Brown: A BILL TO AMEND SECTION 15-41-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO INCREASE THE AMOUNT OF DEBTOR'S INTEREST IN CERTAIN DELINEATED PROPERTIES THAT ARE EXEMPT FROM ATTACHMENT, LEVY, AND SALE UNDER ORDER OF A COURT OR AS A RESULT OF A BANKRUPTCY PROCEEDING.

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

REPORTS OF STANDING COMMITTEES

Senator KNOTTS from the Committee on Invitations polled out H. 4646 favorable:

H. 4646 -- Reps. Perry, Agnew, Alexander, Allen, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, Breeland, G. Brown, R. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Coleman, Cooper, Cotty, Crawford, Dantzler, Davenport, Delleney, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Govan, Gullick, Hagood, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Haskins, Hayes, Herbkersman, Hiott, Hodges, Hosey, Howard, Huggins, Hutson, Jefferson, Jennings, Kelly, Kennedy, Kirsh, Knight, Leach, Limehouse, Littlejohn, Loftis, Lowe, Lucas, Mack, Mahaffey, McLeod, Merrill, Miller, Mitchell, Moody-Lawrence, Moss, Mulvaney, J.H. Neal, J.M. Neal, Neilson, Ott, Owens, Parks, Phillips, Pinson, E.H. Pitts, M.A. Pitts, Rice, Rutherford, Sandifer, Scarborough, Scott, Sellers, Shoopman, Simrill, Skelton, D.C. Smith, F.N. Smith,

TUESDAY, FEBRUARY 12, 2008

G.M. Smith, G.R. Smith, J.E. Smith, J.R. Smith, W.D. Smith, Spires, Stavrinakis, Stewart, Talley, Taylor, Thompson, Toole, Umphlett, Vick, Viers, Walker, Weeks, Whipper, White, Whitmire, Williams, Witherspoon and Young: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 20, 2008, "CITIES MEAN BUSINESS DAY" AND TO CELEBRATE THE VALUABLE CONTRIBUTIONS SOUTH CAROLINA CITIES AND TOWNS MAKE TO OUR STATE'S ECONOMIC PROSPERITY THROUGH THEIR RELATIONSHIPS WITH LOCAL BUSINESSES.

**Poll of the Invitations Committee
Polled 11; Ayes 11; Nays 0; Not Voting 0**

AYES

Knotts	Thomas	Patterson
O'Dell	McGill	Reese
Elliott	Ford	Verdin
Campsen	Cromer	

Total--11

NAYS

Total--0

NOT VOTING

Total--0

Ordered for consideration tomorrow.

Senator KNOTTS from the Committee on Invitations polled out H. 4646 favorable:

H. 4647 -- Rep. Huggins: A CONCURRENT RESOLUTION TO DECLARE TUESDAY, FEBRUARY 5, 2008, SOUTH CAROLINA REALTOR DAY IN ORDER TO RECOGNIZE AND HONOR THE MANY OUTSTANDING REALTORS AND REAL ESTATE PROFESSIONALS IN OUR STATE.

**Poll of the Invitations Committee
Polled 11; Ayes 11; Nays 0; Not Voting 0**

[SJ]

TUESDAY, FEBRUARY 12, 2008

AYES

Knotts
O'Dell
Elliott
Campsen

Thomas
McGill
Ford
Cromer

Patterson
Reese
Verdin

Total--11

NAYS

Total--0

NOT VOTING

Total--0

Ordered for consideration tomorrow.

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

THIRD READING BILLS

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

S. 936 -- Senators McConnell, Hayes, Martin, Thomas, O'Dell, Ford and Knotts: A BILL TO AMEND CHAPTER 3 OF TITLE 36, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM COMMERCIAL CODE--NEGOTIABLE INSTRUMENTS, AND CHAPTER 4 OF TITLE 36, RELATING TO THE UNIFORM COMMERCIAL CODE--BANK DEPOSITS AND COLLECTIONS, BY PROVIDING FOR ELECTRONIC PRESENTMENT OF INSTRUMENTS, RETENTION WARRANTIES, AND ENCODING WARRANTIES; BY DEFINING A BANK'S DUTY OF ORDINARY CARE IN COLLECTION AND PAYMENT OF CHECKS; TO REFORM THE RULES ALLOCATING LOSSES RESULTING FROM CHECK FRAUD; TO PRESERVE THE RIGHTS OF A CONSUMER ISSUING A NOTE; TO PROVIDE THAT VARIABLE INTEREST RATE NOTES QUALIFY AS INSTRUMENTS THAT CAN BE NEGOTIATED TO

[SJ]

TUESDAY, FEBRUARY 12, 2008

HOLDERS IN DUE COURSE; AND TO ADDRESS CASHIER'S CHECKS, TELLER'S CHECKS, AND CERTIFIED CHECKS.
(ABBREVIATED TITLE)

S. 951 -- Senator Hayes: A BILL TO AMEND SECTION 12-33-245, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FIVE PERCENT EXCISE TAX ON THE SALE OF ALCOHOLIC LIQUORS FOR ON-PREMISES CONSUMPTION AND THE DISTRIBUTION OF THE REVENUES OF THE TAX, SO AS TO PROVIDE THAT THE MINIMUM DISTRIBUTION TO STATE AGENCIES, COUNTIES, AND LOCAL ENTITIES MUST BE BASED ON REVENUES RECEIVED IN FISCAL YEAR 2004-2005, RATHER THAN REVENUES ALLOCATED.

SECOND READING BILLS

The following Bills and Joint Resolution, having been read the second time, were ordered placed on the Third Reading Calendar:

S. 985 -- Senator Gregory: A BILL TO AMEND SECTION 50-9-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES AUTHORIZED FOR SALE, SO AS TO REVISE THE REQUIREMENTS AND PRIVILEGES OF AND PROCEDURES FOR A SENIOR LIFETIME LICENSE.

Senator GREGORY explained the Bill.

S. 986 -- Senator Gregory: A BILL TO AMEND SECTION 50-9-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES AUTHORIZED FOR SALE, SO AS TO REVISE THE REQUIREMENTS AND PRIVILEGES OF AND PROCEDURES FOR A DISABILITY LICENSE.

Senator GREGORY explained the Bill.

H. 4403 -- Rep. Davenport: A JOINT RESOLUTION TO DESIGNATE THE SITE OF THE BOILING SPRINGS GEYSER IN SPARTANBURG COUNTY AS A STATE HISTORIC SITE.

AMENDED, READ THE SECOND TIME

TUESDAY, FEBRUARY 12, 2008

S. 104 -- Senators McConnell, Courson, Vaughn, Knotts and Campsen: A BILL TO AMEND CHAPTER 11, TITLE 60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ARCHIVES ACT, SO AS TO ADD ARTICLE 3 CREATING THE SOUTH CAROLINA CIVIL WAR SESQUICENTENNIAL ADVISORY BOARD.

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

Senator ALEXANDER proposed the following amendment (NBD\12010AC08), which was adopted:

Amend the bill, as and if amended, page 3, immediately after line 22 by inserting:

/Section 60-11-180. The South Carolina Civil War Sesquicentennial Board shall carry out its duties within the existing funds appropriated for the operation of the Department of Archives and History, and members of the board are not eligible to receive mileage, subsistence, and per diem, as otherwise may be provided in law for members of state boards, committees, and commissions./

Re-number sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

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

ADOPTED

S. 933 -- Senators Ceips and Leventis: A CONCURRENT RESOLUTION TO URGE THE MEMBERS OF THE SOUTH CAROLINA DELEGATION TO THE UNITED STATES CONGRESS TO REQUEST THAT THE ENVIRONMENTAL PROTECTION AGENCY STUDY PORT ROYAL SOUND AS A CANDIDATE FOR THE NATIONAL ESTUARY PROGRAM.

Senator GREGORY explained the Concurrent Resolution.

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

TUESDAY, FEBRUARY 12, 2008

CARRIED OVER

H. 4630 -- Reps. Scott and Hart: A JOINT RESOLUTION TO CREATE A NEW GANG PREVENTION STUDY COMMITTEE TO CONTINUE THE WORK OF THE INITIAL GANG PREVENTION STUDY COMMITTEE TO ASSESS AND COMBAT THE STATE'S ONGOING GANG PROBLEM BY BRINGING TOGETHER STATE AGENCIES TO COORDINATE GANG REDUCTION PLANS AND MAKE FURTHER RECOMMENDATIONS ADDRESSING GANG-RELATED ACTIVITY IN THE STATE.

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

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 392 -- Senators Ritchie, Cromer, Sheheen, Campsen, Scott, Williams and Vaughn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA ILLEGAL IMMIGRATION REFORM ACT", TO ADD CHAPTER 28 TO TITLE 8 RELATING TO THE ENFORCEMENT OF FEDERAL IMMIGRATION AND CUSTOM LAWS MEMORANDUM OF UNDERSTANDING, TO ADD CHAPTER 29 TO TITLE 8 RELATING TO THE VERIFICATION OF A PERSON'S LAWFUL PRESENCE IN THE UNITED STATES, TO PROHIBIT CERTAIN WAGES FROM BEING CLAIMED AS A DEDUCTIBLE EXPENSE FOR STATE INCOME TAX PURPOSES, TO PROVIDE THAT TAX WITHHOLDING AGENTS MUST WITHHOLD STATE INCOME TAX AT THE RATE OF SIX PERCENT OF THE COMPENSATION PAID UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT IT IS A FELONY TO KNOWINGLY TRANSPORT A PERSON WHO IS IN THE UNITED

TUESDAY, FEBRUARY 12, 2008

STATES ILLEGALLY, TO PROVIDE THAT ALL JAILS IN THIS STATE MUST MAKE A REASONABLE EFFORT TO DETERMINE WHETHER A PERSON CHARGED WITH CERTAIN CRIMES ARE LAWFULLY PRESENT IN THE UNITED STATES, TO PROVIDE A CIVIL CAUSE OF ACTION TO A PERSON WHO IS TERMINATED FOR ANOTHER PERSON WHO THE EMPLOYER KNEW WAS NOT LAWFULLY IN THE UNITED STATES, AND TO ADD CHAPTER 83 TO TITLE 40 RELATING TO REGISTRATION OF IMMIGRATION ASSISTANCE SERVICES. (ABBREVIATED TITLE)

The House returned the Bill with amendments.

Senator RITCHIE, subcommittee chairman, was recognized to speak on the Bill.

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

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Mary Louise Pough Jones of North, S.C., beloved wife of her husband who had predeceased her and devoted mother to three daughters.

and

MOTION ADOPTED

On motion of Senators HUTTO, MATTHEWS and PINCKNEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of former Fairfax Mayor and community leader Charles Riley. He had been an involved civic leader having served on numerous boards and councils and had worked as a procurement specialist senior buyer at Westinghouse Savannah River Company, Aiken, S.C. He was an active participant in the Orange Grove United Methodist Church in Bamberg and was a devoted husband of 39 years to Inell Nimmons Byrd Riley.

TUESDAY, FEBRUARY 12, 2008

ADJOURNMENT

At 12:49 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:50 A.M.

* * *

TUESDAY, FEBRUARY 12, 2008

SENATE JOURNAL INDEX

S. 104.....	12	S. 1093.....	7
S. 392.....	13	S. 1094.....	7
S. 933.....	12	S. 1095.....	8
S. 936.....	10		
S. 951.....	11	H. 3816.....	8
S. 985.....	11	H. 4403.....	11
S. 986.....	11	H. 4630.....	13
S. 1089.....	5	H. 4646.....	8
S. 1090.....	5	H. 4647.....	9
S. 1091.....	6		
S. 1092.....	7		