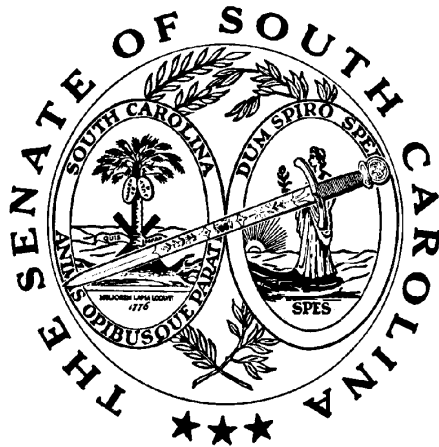


NO. 33

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2008

TUESDAY, MARCH 4, 2008

Tuesday, March 4, 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 Exodus we read that:

“On the morning of the third day there was thunder and lightning, as well as a thick cloud on the mountain, and a blast of a trumpet so loud that all the people who were in the camp trembled.” (Exodus 19:16)

Let us pray:

It is crystal-clear, dear God, that the world continues to be such an unsettled place. We pray for those who dwell in war-torn regions, for those who can't begin to imagine the relative tranquility and the abundance so many of us South Carolinians typically take for granted. In the midst of ongoing global struggles, be with all of our women and men in uniform and with other leaders as they strive to bring about worldwide peace and stability, dear Lord. And here in this Senate and throughout this State we love, may the clarion call of Your holy presence remind all of us to serve You wisely and well in everything that we say and do. In your loving 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 appointment was transmitted by the Honorable Mark C. Sanford:

Statewide Appointment

Reappointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2005, and to expire June 30, 2009

Therapist:

Linda Susan Pearson, 161 Saratoga Ave., Spartanburg, SC 29302

Referred to the Committee on Labor, Commerce and Industry.

TUESDAY, MARCH 4, 2008

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
February 28, 2008

Mr. President and Members of the Senate:

I respectfully request withdrawal from your consideration the appointment listed below:

Respectfully,
Mark C. Sanford

Withdrawal of Statewide Appointment

Reappointment, Department of Public Safety, with term to commence February 1, 2008, and to expire February 1, 2012

Seat: Director

Mr. James K. Schweitzer

Appointment Withdrawn

On motion of Senator McCONNELL, the Senate acceded to the Governor's request and the Clerk was directed to return the appointment to the Governor.

CO-SPONSOR ADDED

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

S. 490 Sen. Vaughn

S. 1055 Sen. Vaughn

S. 1070 Sen. Vaughn

Doctor of the Day

Senators DRUMMOND and O'DELL introduced Dr. Gary A. Goforth of Greenwood, S.C., Doctor of the Day.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1166 -- Senator Martin: A CONCURRENT RESOLUTION CONGRATULATING FRANCES LAVINIA PEEBLES BYARS ON THE OCCASION OF HER NINETIETH BIRTHDAY AND THANKING HER FOR HER INSPIRATION, STRONG MORALS,

TUESDAY, MARCH 4, 2008

HARD WORK, AND DEDICATION TO HER CHURCH AND COMMUNITY THROUGHOUT THE YEARS.

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

S. 1167 -- Senator Ryberg: A SENATE RESOLUTION CONGRATULATING AND HONORING LIEUTENANT COLONEL OLIVER L. NORTH (RET.) FOR APPEARING AT THE USC-AIKEN ETHERREDGE CENTER ON MARCH 12, 2008, FOR WHICH THE PROCEEDS WILL BENEFIT OUTSTANDING JUNIOR ROTC STUDENTS IN AIKEN COUNTY THROUGH THE MARINE CORPORAL MATTHEW VINCENT DILLON SCHOLARSHIP FUND.

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The Senate Resolution was adopted.

S. 1168 -- Senator Peeler: A BILL TO AMEND SECTION 15-9-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SERVICE OF PROCESS ON THE SUPERINTENDENT OF A STATE MENTAL HOSPITAL, SO AS TO SUBSTITUTE "DIRECTOR" FOR "SUPERINTENDENT" OF SUCH HOSPITAL; TO AMEND SECTION 44-9-50, RELATING TO DIVIDING THE DEPARTMENT OF MENTAL HEALTH INTO DIVISIONS, SO AS TO DELETE THE PROVISION REQUIRING A MEDICAL DIVISION TO BE HEADED BY A MEDICAL DOCTOR; TO AMEND SECTION 44-9-60, RELATING TO THE APPOINTMENT AND QUALIFICATIONS OF THE SUPERINTENDENT OF EACH HOSPITAL UNDER THE DEPARTMENT OF MENTAL HEALTH, SO AS TO SUBSTITUTE "DIRECTOR" FOR "SUPERINTENDENT" OF SUCH HOSPITALS; TO AMEND SECTION 44-9-90, RELATING TO THE POWERS AND DUTIES OF THE MENTAL HEALTH COMMISSION, SO AS TO DELETE REFERENCES TO EPILEPSY AND TO CERTAIN OBSOLETE TERMS, TO MAKE TECHNICAL CORRECTIONS, AND TO SUBSTITUTE "DIRECTOR" FOR "SUPERINTENDENT" OF A MENTAL HEALTH HOSPITAL; TO AMEND SECTION 44-9-100, RELATING TO AREAS OF RESPONSIBILITY OVER WHICH THE MENTAL HEALTH COMMISSION MAY EXERCISE ITS AUTHORITY, SO AS TO DELETE OBSOLETE TERMS, MAKE TECHNICAL CORRECTIONS, AND SUBSTITUTE "DIRECTOR" FOR "SUPERINTENDENT" OF A MENTAL HEALTH HOSPITAL; TO

[SJ]

TUESDAY, MARCH 4, 2008

AMEND SECTION 44-22-220, RELATING TO PATIENT RIGHTS GRIEVANCE PROCEDURES, SO AS TO PROVIDE THAT A GRIEVANCE MUST BE REVIEWED BY THE DEPARTMENT AND THAT A DETERMINATION MUST BE MADE WHETHER CORRECTIVE ACTION IS WARRANTED; TO AMEND SECTION 44-23-10, RELATING TO DEFINITION OF TERMS USED IN CONNECTION WITH THE DEPARTMENT OF MENTAL HEALTH AND THE CARE AND TREATMENT OF PERSONS WITH MENTAL ILLNESS, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 44-23-210, RELATING TO THE TRANSFER OF PATIENTS BETWEEN PUBLIC AND PRIVATE MENTAL HEALTH AND MENTAL RETARDATION FACILITIES, SO AS TO MAKE TECHNICAL CORRECTIONS AND TO SUBSTITUTE "DIRECTOR" FOR "SUPERINTENDENT" OF A MENTAL HEALTH INSTITUTION OR FACILITY; TO AMEND SECTION 44-23-250, RELATING TO THE SIGNATURE OF A "SUPERINTENDENT OF ANY INSTITUTION" OF THE DEPARTMENT OF MENTAL HEALTH , SO AS TO PROVIDE THAT IT MEANS THE "DIRECTOR" OF SUCH INSTITUTIONS; TO REPEAL SECTION 44-11-80 RELATING TO THE MENTAL HEALTH COMMISSION SETTING THE SALARIES OF OFFICERS AND EMPLOYEES OF STATE MENTAL HEALTH FACILITIES; AND TO REPEAL SECTION 44-23-30 RELATING TO A NONRESIDENT PHYSICIAN EXAMINING AN INSTITUTIONALIZED PATIENT OUT OF STATE.

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

S. 1169 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GARY TAYLOR, OF LEXINGTON COUNTY, FOR TWENTY-SEVEN YEARS OF TIRELESS VOLUNTEER SERVICE TO HIS COMMUNITY AS A MEMBER OF THE PINEVIEW AND PINEVIEW/PINE GROVE SOCCER CLUB.

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The Senate Resolution was adopted.

S. 1170 -- Senators Setzler, Lourie and Sheheen: A BILL TO AMEND SECTION 59-20-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHOOL DISTRICT

[SJ]

TUESDAY, MARCH 4, 2008

EVALUATION AND REPORTING REQUIREMENTS, SO AS TO PROVIDE THAT FIVE-YEAR PLANS MUST INCLUDE OBJECTIVES AND STRATEGIES TO ACCELERATE STUDENT LEARNING; TO AMEND SECTION 59-29-170, RELATING TO PROGRAMS FOR TALENTED STUDENTS, SO AS TO EXTEND REPORTING REQUIREMENTS BY THE EDUCATION OVERSIGHT COMMITTEE, TO INCREASE THE AMOUNT RECEIVED FOR GIFTED AND TALENTED EDUCATION BY SCHOOLS WITH FEWER THAN FORTY IDENTIFIED GIFTED AND TALENTED STUDENTS, AND TO INCREASE THE LIFE SCHOLARSHIP AWARD BY TWO HUNDRED DOLLARS FOR EACH ADVANCED PLACEMENT SCORE OF THREE OR HIGHER AND BY FIVE HUNDRED DOLLARS FOR STUDENTS EARNING AN INTERNATIONAL BACCALAUREATE DIPLOMA; BY ADDING SECTION 59-29-171 SO AS TO ESTABLISH THE OFFICE OF GIFTED AND TALENTED EDUCATION; BY ADDING SECTION 59-29-172 SO AS TO PROVIDE THAT THE OFFICE OF GIFTED AND TALENTED EDUCATION MUST REVIEW REGULATIONS AND PROGRAM GUIDELINES AND THAT DISTRICTS MUST ADOPT POLICIES FOR ENROLLMENT PRACTICES; BY ADDING SECTION 59-29-173 SO AS TO ESTABLISH TALENT DEVELOPMENT GRANTS FOR SCHOOLS IN WHICH FEWER THAN TEN PERCENT OF GRADES THREE THROUGH TWELVE ARE IDENTIFIED AS GIFTED AND TALENTED; AND BY ADDING SECTION 59-29-174 SO AS TO ESTABLISH A BOARD OF CENTERS OF EXCELLENCE IN GIFTED AND TALENTED EDUCATION FOR ELEMENTARY THROUGH SECONDARY STUDENTS AND TO PROVIDE FOR ITS POWERS AND DUTIES.

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

S. 1171 -- Senator Peeler: A BILL TO AMEND SECTION 12-37-900 OF THE 1976 CODE, RELATING TO THE LISTING AND RETURNING OF PERSONAL PROPERTY, TO PROVIDE THAT A MANUFACTURER IS NOT REQUIRED TO LIST OR RETURN PERSONAL PROPERTY FOR AD VALOREM TAX PURPOSES IF THE PROPERTY REMAINS IN THIS STATE BUT HAS NOT BEEN USED IN OPERATIONS FOR THE ENTIRE REPORTING PERIOD OF THE MANUFACTURER.

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TUESDAY, MARCH 4, 2008

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

S. 1172 -- Senators Knotts, Ford, Fair, Elliott, Thomas, Short, O'Dell, Reese and Anderson: A BILL TO AMEND SECTION 17-5-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FILLING OF VACANCIES IN THE OFFICE OF THE CORONER, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE VACANCIES SHALL BE FILLED AND FOR THE PERSON WHO SHALL ACT IN THE CORONER'S PLACE IF A VACANCY OR SUSPENSION IN THE OFFICE EXISTS.

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

S. 1173 -- Senators Bryant, Martin and O'Dell: A JOINT RESOLUTION TO PROVIDE FOR A MORATORIUM ON THE ISSUANCE OF PERMITS FOR NEW CONSTRUCTION AND DEMOLITION DEBRIS AND NEW LAND-CLEARING DEBRIS LANDFILLS IN ANDERSON COUNTY UNTIL NEW REGULATIONS CONTROLLING THE LANDFILLS HAVE BEEN PROMULGATED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND BECOME EFFECTIVE.

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

S. 1174 -- Senator Peeler: A BILL TO AMEND SECTION 44-7-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FACILITIES EXEMPT FROM HEALTH FACILITY LICENSURE, SO AS TO EXEMPT HOMESHARE ENHANCED RESPITE PROGRAMS DESIGNATED BY THE DEPARTMENT OF MENTAL HEALTH UNDER CERTAIN CONDITIONS.

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

S. 1175 -- Senator Thomas: A BILL TO AMEND SECTION 56-3-1110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A SPECIAL LICENSE PLATE TO A WARTIME DISABLED VETERAN, SO AS TO PROVIDE THAT A VETERAN WHO IS ISSUED THIS LICENSE

TUESDAY, MARCH 4, 2008

PLATE MUST BE AT LEAST FIFTY PERCENT DISABLED INSTEAD OF BEING TOTALLY AND PERMANENTLY DISABLED.

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

S. 1176 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WATER POLLUTION CONTROL PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 3155, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1177 -- Senators Knotts, Alexander, Anderson, Bryant, Campbell, Campsen, Ceips, Cleary, Courson, Cromer, Drummond, Elliott, Fair, Ford, Gregory, Grooms, Hawkins, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, Martin, Massey, Matthews, McConnell, McGill, O'Dell, Patterson, Peeler, Pinckney, Rankin, Reese, Ritchie, Ryberg, Scott, Setzler, Sheheen, Short, Thomas, Vaughn, Verdin and Williams: A CONCURRENT RESOLUTION TO HONOR THE SEVENTEEN MEMBERS OF THE UNITED STATES ARMED SERVICES FROM SOUTH CAROLINA OR WITH TIES TO SOUTH CAROLINA WHO HAVE DIED IN THE WARS IN IRAQ AND AFGHANISTAN IN 2007, AND TO THANK LIEUTENANT GOVERNOR ANDRÉ BAUER FOR HIS EFFORTS IN GIVING EACH THE PALMETTO PATRIOT AWARD.

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

H. 3674 -- Reps. Cato, Perry, J. H. Neal, Chellis, Harvin, F. N. Smith, Bedingfield, Simrill, Crawford, Leach, W. D. Smith, Alexander, Bales, Bannister, Dantzler, Edge, Gambrell, Hamilton, Haskins, Kennedy, Lowe, Mitchell, Mulvaney, Ott, Pinson, Sandifer, Scarborough, Shoopman, G. R. Smith, Spires, Stewart, Thompson, Toole, White, Young, Brady, Talley, Clemmons, Owens, Hiott, Skelton and Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 19 TO TITLE 44 SO AS

[SJ]

TUESDAY, MARCH 4, 2008

TO ENACT THE "SOUTH CAROLINA HEALTH CARE FINANCIAL RECOVERY AND PROTECTION ACT", TO ESTABLISH PROCEDURES FOR A HEALTH INSURER TO PAY OR REIMBURSE A PROVIDER FOR HEALTH CARE SERVICES FURNISHED BY THE PROVIDER, INCLUDING, AMONG OTHER THINGS, TIMEFRAMES WITHIN WHICH A CLAIM FOR SERVICES RENDERED, WHICH HAS NOT MATERIAL DEFECT OR IMPROPRIETY, MUST BE PAID BY AN INSURER, CONDITIONS WHICH CONSTITUTE A CONTESTED CLAIM, INTEREST RATES AND OTHER FEES THAT MAY BE RECOVERED FOR CLAIMS NOT PAID OR PROPERLY DISPUTED WITHIN THE TIMEFRAMES PROVIDED, THE APPLICABILITY OF UNFAIR TRADE PRACTICES, TIMEFRAMES WITHIN WHICH AN INSURER SEEKING A REFUND OF A PAYMENT MADE FOR HEALTH CARE SERVICES RENDERED MUST REQUEST THE REFUND, AND PROVISIONS LIMITING THE NUMBER OF SERVICES AND SUPPLIES REQUIRING PREAUTHORIZATION BY AN INSURER; AND TO AMEND SECTION 38-71-230, RELATING TO WRITTEN NOTICE WHICH MUST BE PROVIDED BY INSURERS OF CLAIM POLICIES AND PROCEDURES AND THE ADOPTION OF STANDARDIZED CLAIM FORMS, SO AS TO REVISE CERTAIN CLAIM FORM NUMBERS.

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

H. 4058 -- Reps. Sandifer, Leach, Bedingfield, Cato, Chellis, Ott, Owens, Whitmire, Parks, Howard and J. H. Neal: A BILL TO AMEND CHAPTER 7 OF TITLE 32, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRENEED FUNERAL CONTRACTS, SO AS TO CONFORM THE PROVISIONS TO REFLECT THAT THE PREVIOUS POWERS AND DUTIES OF THE STATE BOARD OF FINANCIAL INSTITUTIONS RELATING TO THOSE CONTRACTS HAS BEEN TRANSFERRED TO THE DEPARTMENT OF CONSUMER AFFAIRS, TO PROVIDE FOR A CONTESTED CASE HEARING BEFORE THE REVOCATION OR SUSPENSION OF A LICENSE FOR VIOLATION OF THE CHAPTER, TO PROVIDE FOR ADMINISTRATIVE PENALTIES, AND TO MAKE TECHNICAL CHANGES; AND TO AMEND SECTION 40-19-290, AS AMENDED, RELATING TO LICENSED EMBALMERS AND FUNERAL DIRECTORS RECEIVING

[SJ]

TUESDAY, MARCH 4, 2008

PAYMENTS FOR PRENEED FUNERAL CONTRACTS, SO AS TO CHANGE "STATE BOARD OF FINANCIAL INSTITUTIONS" TO "SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS".

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

H. 4511 -- Rep. Walker: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 56-1-1750 RELATING TO A MOPED DRIVER'S LICENSE.

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

H. 4662 -- Reps. Walker, Harrell, Whitmire, Toole, Gullick, Spires, Hiott, Bannister, J. R. Smith, Loftis, Ballentine, Pinson, Cotty, Brady, Bedingfield, Hardwick, Edge, Herbkersman, Lowe, Crawford, Limehouse, Hamilton, G. R. Smith, Harrison, Duncan, Bowen, Huggins, Mahaffey, Erickson, Leach, Owens, Frye, Rice, Hutson, Bingham, Haskins, Littlejohn, Cato, Chalk, Clyburn, Cooper, Dantzler, Davenport, Delleney, Gambrell, Kelly, Lucas, Merrill, Moss, Neilson, E. H. Pitts, Sandifer, Scarborough, Shoopman, Skelton, D. C. Smith, G. M. Smith, W. D. Smith, Talley, Taylor, Umphlett, Viers, White, Witherspoon, Young, Barfield, Knight, Miller, Battle, Perry, Bales, Phillips, J. M. Neal, R. Brown and Whipper: A BILL TO AMEND CHAPTER 18, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, SO AS TO REVISE THE MANNER IN WHICH SCHOOLS ARE ASSESSED AND ACCREDITED, TO PROVIDE FOR DESIGNATION TO SIGNIFY VARYING LEVELS OF SCHOOL ACADEMIC PERFORMANCE, AND TO REVISE AND FURTHER PROVIDE FOR OTHER RELATED PROVISIONS REGARDING EDUCATION ACCOUNTABILITY.

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

H. 4680 -- Reps. Walker, Anthony, W. D. Smith, Littlejohn, Talley, Kelly, Mahaffey and Davenport: A BILL TO AMEND ACT 906 OF 1962, AS AMENDED, RELATING TO THE SPARTANBURG COUNTY COMMISSION FOR TECHNICAL AND COMMUNITY EDUCATION, SO AS TO PROVIDE FOR REPRESENTATION ON THE COMMISSION OF A MEMBER FROM CHEROKEE COUNTY SCHOOL DISTRICT ONE AND A MEMBER FROM THE SCHOOL DISTRICT OF UNION COUNTY, TO REDUCE FROM FOUR TO TWO THE AT-LARGE MEMBERS FROM SPARTANBURG COUNTY AND TO PROVIDE TRANSITION PROVISIONS.

[SJ]

TUESDAY, MARCH 4, 2008

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

H. 4734 -- Reps. Mahaffey and Talley: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 129 IN SPARTANBURG COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 29 TO ITS INTERSECTION WITH INTERSTATE HIGHWAY 85 "SERGEANT SHAWN F. HILL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "SERGEANT SHAWN F. HILL MEMORIAL HIGHWAY".

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

H. 4744 -- Reps. Crawford, 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, 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, Perry, Phillips, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scarborough, Scott, Sellers, Shoopman, Simrill, Skelton, D. C. Smith, F. N. Smith, 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 AUTHORIZE PALMETTO BOYS STATE TO USE THE SENATE AND HOUSE CHAMBERS ON FRIDAY, JUNE 13, 2008, FROM 12:00 NOON TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

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

TUESDAY, MARCH 4, 2008

H. 4747 -- Rep. Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING TITLE 63 ENTITLED "SOUTH CAROLINA CHILDREN'S CODE" SO AS TO TRANSFER PROVISIONS FROM CHAPTER 7, TITLE 20 TO TITLE 63, TO INCLUDE THE STATE POLICY ON CHILDREN, FAMILY COURT AND FAMILY COURT JUDGES, LEGAL STATUS OF CHILDREN, CHILD PROTECTION AND PERMANENCY, ADOPTIONS, CHILDREN'S SERVICE AGENCIES, CHILDCARE FACILITIES, CUSTODY AND VISITATION, PATERNITY AND CHILD SUPPORT, AND JUVENILE JUSTICE; TO ADD ARTICLE 5 TO CHAPTER 3, TITLE 20, RELATING TO DIVORCE, SO AS TO TRANSFER THE PROVISIONS OF ARTICLE 6, CHAPTER 7, TITLE 20, RELATING TO EQUITABLE APPORTIONMENT OF PROPERTY, TO THIS ARTICLE; TO ADD ARTICLE 5 TO CHAPTER 5, TITLE 43, RELATING TO PUBLIC AID TO CHILDREN, SO AS TO TRANSFER THE PROVISIONS OF SUBARTICLE 7, ARTICLE 13, CHAPTER 7, TITLE 20, RELATING TO PUBLIC AID, TO THIS ARTICLE; TO ADD SECTION 44-53-378 SO AS TO TRANSFER THE PROVISIONS OF SECTION 20-7-105, WHICH CREATES A CRIMINAL OFFENSE FOR EXPOSING A CHILD TO METHAMPHETAMINES, TO THIS SECTION; AND TO REPEAL CHAPTER 7, TITLE 20, RELATING TO THE CHILDREN'S CODE; TO REPEAL SECTION 43-5-585, RELATING TO REPORTING CHILD SUPPORT ARREARAGES TO CREDIT REPORTING AGENCIES, WHICH WAS TRANSFERRED TO ARTICLE 21, CHAPTER 17, TITLE 63; AND TO REPEAL SECTIONS 43-5-595, 43-5-596, AND 43-5-597, RELATING TO CHILD SUPPORT ENFORCEMENT THROUGH FINANCIAL INSTITUTION DATA MATCHES, WHICH WERE TRANSFERRED TO ARTICLE 17, CHAPTER 17, TITLE 63.

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

H. 4759 -- Labor, Commerce and Industry Committee: A BILL TO AMEND SECTION 38-27-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PERSONS COVERED UNDER THE PROVISIONS OF THE "INSURERS REHABILITATION AND LIQUIDATION ACT", SO AS TO PROVIDE THAT CHAPTER 27, TITLE 38 DOES NOT APPLY TO CERTAIN ASSOCIATIONS DEFINED IN SECTION 38-38-730; TO AMEND SECTION 38-38-430, RELATING TO THE

[SJ]

TUESDAY, MARCH 4, 2008

GOVERNANCE OF FRATERNAL BENEFIT SOCIETIES BY CHAPTER 38, TITLE 38, SO AS TO PROVIDE THAT CERTAIN ASSOCIATIONS IN WHICH MEMBERS ARE ACTIVE OR RETIRED MILITARY OFFICERS OR ENLISTED PERSONNEL ARE EXEMPTED FROM THE PROVISIONS OF CHAPTER 38; AND TO AMEND SECTION 38-38-730, RELATING TO EXEMPTION FROM THE REGULATION OF CERTAIN ASSOCIATIONS AND SOCIETIES BY THE DEPARTMENT OF INSURANCE, SO AS TO ADD A CERTAIN ASSOCIATION IN WHICH MEMBERS ARE ACTIVE OR RETIRED MILITARY OFFICERS OR ENLISTED PERSONNEL.

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

H. 4775 -- Reps. Hagood, Whipper, Breeland, Limehouse, Mack, Scarborough and Stavrinakis: A BILL TO AMEND ACT 340 OF 1967, AS AMENDED, CREATING THE CHARLESTON COUNTY SCHOOL DISTRICT, SO AS TO CHANGE THE DATES FOR FILING OF CONSTITUENT SCHOOL DISTRICT BOARD OF TRUSTEES AND TO CONSOLIDATE THE SCHOOL BOARD TO CONFORM WITH PROVISIONS OF STATE LAW.

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

REPORTS OF STANDING COMMITTEES

Senator COURSON from the Committee on Education submitted a favorable with amendment report on:

S. 965 -- Senator Martin: A BILL TO AMEND SECTION 59-24-60 OF THE 1976 CODE RELATING TO A SCHOOL OFFICIAL'S DUTY TO CONTACT LAW ENFORCEMENT, TO PROVIDE THAT A SCHOOL ADMINISTRATOR AND A SCHOOL RESOURCE OFFICER MAY RELEASE THAT PORTION OF A STUDENT'S EDUCATION RECORDS THAT RELATES TO CRIMINAL GANG ACTIVITY TO LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

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

S. 1063 -- Senator Martin: A BILL TO AMEND SECTION 34-11-60(D) OF THE 1976 CODE, RELATING TO THE DRAWING OF A

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TUESDAY, MARCH 4, 2008

FRAUDULENT CHECK, TO INCREASE THE TIME A PAYEE HAS TO DEPOSIT A CHECK TO TWENTY-ONE DAYS SO THAT FOR THE DRAWER OF THE CHECK MAY BE PROSECUTED.

Ordered for consideration tomorrow.

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

S. 1104 -- Senator McConnell: A BILL TO AMEND CHAPTER 71 OF TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-242, SO AS TO PROVIDE FOR THE DEFINITION OF THE TERMS "ACTUAL CHARGE" OR "ACTUAL FEE" WHEN USED IN INDIVIDUAL OR GROUP SPECIFIED DISEASE INSURANCE POLICIES AND TO REQUIRE THAT NO INSURER OR ISSUER OF ANY INDIVIDUAL OR GROUP SPECIFIED DISEASE INSURANCE POLICY PAY ANY CLAIM OR BENEFITS UNDER THE APPLICABLE POLICY IN AN AMOUNT IN EXCESS OF ACTUAL CHARGE OR ACTUAL FEE AS DEFINED.

Ordered for consideration tomorrow.

SECOND READING BILL

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

S. 1161 -- Senator Williams: A BILL TO AMEND ACT 254 OF 1981, RELATING TO THE MARION COURT LIBRARY COMMISSION AND THE MARION COURT LIBRARY, TO PROVIDE THAT FUNDS REMAINING IN THE MARION COURT LIBRARY FUND AFTER PURCHASING BOOKS, LEGAL PERIODICALS, AND OTHER NECESSARY LIBRARY SUPPLIES MAY BE USED FOR THE COURT SYSTEM IN MARION COUNTY.

S. 1161--Ordered to a Third Reading

On motion of Senator ANDERSON, S. 1161 was ordered to receive a third reading on Wednesday, March 5, 2007.

The following Addendum is to the Report of the Joint Transportation Review Committee:

TUESDAY, MARCH 4, 2008

ADDENDUM:

The following items were received by the Joint Transportation Review Committee:

“I am recusing myself from voting on the qualifications of Mr. Charles Dalton, Mr. David Bunch and Mr. Kenneth Willingham. I do so out of caution and appearance because both of these gentlemen have contributed to my reelection campaign in the past.”

Glenn F. McConnell
2-7-08

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I am recusing myself from voting on the qualifications of the following individuals: Mr. Kenneth Willingham because he contributed to my reelection campaign; and Mr. William Byrd because he is married to my mother's sister.

Larry K. Grooms
2-7-08

####

The Honorable Lawrence K. Grooms
Chairman, Senate Transportation Committee
203 Gressette Building
Columbia, South Carolina 29201

Dear Senator Grooms:

Because I have received campaign contributions from the following individuals or organizations with which the individuals may be affiliated, I hereby request to be recorded as recusing myself from the vote regarding qualifications for the following candidates for the Department of Transportation Commission:

District 1
Mr. David W. Bunch
Mr. Thomas W. Byrd
Mr. Daniel H. Isaac, Jr.
Mr. Kenneth R. Willingham

[SJ]

TUESDAY, MARCH 4, 2008

District 3

Mr. Charles E. Dalton

Even though I am recusing myself from voting, I found all of these candidates to be well qualified.

Hugh K. Leatherman
Member, Joint Transportation Review Committee

MOTION ADOPTED

On motion of Senator McCONNELL, with unanimous consent, the Senate agreed that, at the conclusion of the Joint Assembly, the Senate would stand adjourned.

RECESS

At 12:28 P.M., on motion of Senator McCONNELL, the Senate recessed from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Address by the National Commander of the American Legion

At 12:30 P.M., the Senate appeared in the Hall of the House.

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

H. 4427 -- Rep. Leach: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE MARTIN "MARTY" F. CONASTER, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, MARCH 4, 2008.

The Honorable Martin "Marty" F. Conaster and members of his party were escorted to the rostrum by Senators ANDERSON, CAMPBELL, MASSEY, HAYES, CROMER and ELLIOTT and Representatives Hutson, McLeod, Bedingfield, Harrison, Erickson and Brantley.

The PRESIDENT of the Senate introduced the Honorable Martin "Marty" F. Conaster, National Commander of the American Legion.

Commander Conaster addressed the Joint Assembly.

TUESDAY, MARCH 4, 2008

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

ADJOURNMENT

At 12:50 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 2:00 P.M.

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TUESDAY, MARCH 4, 2008

SENATE JOURNAL INDEX

S. 965.....	12	S. 1177.....	7
S. 1063.....	12	H. 3674.....	7
S. 1104.....	13	H. 4058.....	8
S. 1161.....	13	H. 4427.....	14
S. 1166.....	2	H. 4511.....	9
S. 1167.....	3	H. 4662.....	9
S. 1168.....	3	H. 4680.....	9
S. 1169.....	4	H. 4734.....	10
S. 1170.....	4	H. 4744.....	10
S. 1171.....	5	H. 4747.....	11
S. 1172.....	6	H. 4759.....	11
S. 1173.....	6	H. 4775.....	12
S. 1174.....	6		
S. 1175.....	6		
S. 1176.....	7		