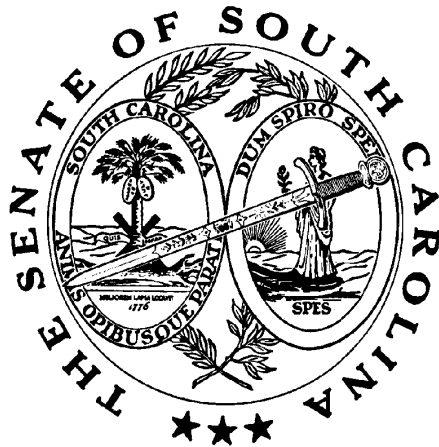


NO. 51

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2008

THURSDAY, APRIL 3, 2008

Thursday, April 3, 2008
(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 ACTING PRESIDENT, Senator CROMER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

Doctor of the Day

Senator MARTIN introduced Dr. Boyce G. Tollison of Easley, S.C., Doctor of the Day.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

H. 4320 -- Reps. Whipper, Clyburn, R. Brown and Hosey: A BILL TO AMEND SECTION 59-63-31, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR ATTENDANCE AT PUBLIC SCHOOLS, SO AS TO ADD THE RESIDENCE OF A CHILD IN A PARTICULAR SCHOOL DISTRICT AS A RESULT OF A PARENT'S OR LEGAL GUARDIAN'S MILITARY DEPLOYMENT.

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

H. 4899 -- Reps. Edge, Ott, Crawford, Whipper, Huggins, Alexander, Anthony, Bales, Barfield, Battle, Bedingfield, Brady, Branham, Cato, Clemmons, Clyburn, Cobb-Hunter, Coleman, Cooper, Cotty, Davenport, Duncan, Erickson, Funderburk, Gambrell, Govan, Gullick, Hardwick, Hayes, Hosey, Jennings, Leach, Limehouse, Mack, Mahaffey, McLeod, Moss, Mulvaney, J. H. Neal, Parks, Perry, Pinson, M. A. Pitts, Rice, Sandifer, Scott, Sellers, Shoopman, Simrill, G. M. Smith, G. R. Smith, W. D. Smith, Stavrinakis, Talley, Taylor, Thompson, Viers, White, Witherspoon and Mitchell: A JOINT RESOLUTION TO CREATE A COMMITTEE TO EXAMINE THE DELIVERY OF BEHAVIORAL HEALTH CARE SERVICES IN SOUTH CAROLINA, AND TO REPORT ITS FINDINGS AND

[SJ]

THURSDAY, APRIL 3, 2008

RECOMMENDATIONS TO THE GENERAL ASSEMBLY BY
JANUARY 1, 2009.

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

H. 4926 -- Rep. Funderburk: A BILL TO AMEND SECTION 7-7-
340, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA,
1976, RELATING TO THE DESIGNATION OF VOTING
PRECINCTS IN KERSHAW COUNTY, SO AS TO REDESIGNATE
A MAP NUMBER 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. 4948 -- Reps. Jefferson, Williams, Agnew, Gambrell, 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,
Govan, Gullick, Hagood, Haley, Hamilton, Hardwick, Harrell,
Harrison, Hart, Harvin, Haskins, Hayes, Herbkersman, Hiott, Hodges,
Hosey, Howard, Huggins, Hutson, 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,
Witherspoon and Young: A CONCURRENT RESOLUTION TO
ACKNOWLEDGE AND HONOR THE INTERNATIONAL
PRESIDENT OF ZETA PHI BETA, MRS. BARBARA C. MOORE,
AND SOUTHEASTERN REGIONAL DIRECTOR, MRS. SCARLET
BLACK, BOTH SOUTH CAROLINA RESIDENTS, ALONG WITH
MRS. MARION GARY, THE SOUTH CAROLINA STATE
DIRECTOR, AND ALL THE SOUTH CAROLINA ZETAS FOR
THEIR HUMANITARIAN EFFORTS AND CONTRIBUTIONS.

THURSDAY, APRIL 3, 2008

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

H. 4957 -- Reps. Ballentine, Huggins, Agnew, Alexander, Allen, Anderson, Anthony, Bales, 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, Dellene, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Govan, Gullick, Hagood, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Haskins, Hayes, Herbkersman, Hiott, Hodges, Hosey, Howard, 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 RECOGNIZE AND HONOR RIVERLAND HILLS BAPTIST CHURCH, OF RICHLAND COUNTY, UPON THE OCCASION OF ITS FORTIETH ANNIVERSARY, AND TO COMMEND THE PASTOR AND CONGREGATION FOR CONTINUED MINISTRY TO THEIR COMMUNITY.

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

H. 4958 -- Reps. R. Brown, Whipper, Breeland, Stavrinakis, Scarborough, Limehouse, Mack, Harrell, Agnew, Alexander, Allen, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Coleman, Cooper, Cotty, Crawford, Dantzler, Davenport, Dellene, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Govan, Gullick, Hagood, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Haskins, Hayes, Herbkersman, Hiott, Hodges, Hosey, Howard, Huggins, Hutson, Jefferson, Jennings, Kelly, Kennedy, Kirsh, Knight, Leach, Littlejohn, Loftis, Lowe, Lucas, Mahaffey, McLeod, Merrill, Miller, Mitchell, Moody-Lawrence, Moss, Mulvaney, J. H. Neal, J. M. Neal, Neilson,

THURSDAY, APRIL 3, 2008

Ott, Owens, Parks, Perry, Phillips, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, 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, Stewart, Talley, Taylor, Thompson, Toole, Umphlett, Vick, Viers, Walker, Weeks, White, Whitmire, Williams, Witherspoon and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE PATRICIA BALDWIN DIXON, OF CHARLESTON COUNTY, FOR TWENTY-SEVEN YEARS OF PUBLIC SERVICE, UPON THE OCCASION OF HER RETIREMENT, AND TO WISH HER SUCCESS IN ALL HER FUTURE ENDEAVORS.

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

REPORT OF STANDING COMMITTEE

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

H. 3567 -- Reprs. Rice, Gullick, Cotty and Agnew: A BILL TO AMEND SECTION 12-21-620, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAXATION ON CIGARETTES, SO AS TO INCREASE THE AMOUNT OF TAX ON EACH CIGARETTE FROM THREE AND ONE-HALF MILLS TO TWO CENTS; TO ADD SECTION 44-6-157 SO AS TO PROVIDE THAT THE REVENUE GENERATED FROM THE TAXATION ON CIGARETTES MUST BE USED TO EXPAND MEDICAID COVERAGE TO CHILDREN EIGHTEEN YEARS OF AGE AND YOUNGER WHOSE FAMILY INCOME DOES NOT EXCEED TWO HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL; AND TO CREATE THE HEALTH CARE TRUST FUND TO PROVIDE MEDICAID BENEFITS TO INDIVIDUALS WHOSE FAMILY INCOME DOES NOT EXCEED ONE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL AND WHO ARE UNINSURED AND TO PROVIDE THAT REVENUE IN EXCESS OF THE CHILDREN'S MEDICAID COVERAGE FROM THE CIGARETTE TAX MUST BE CREDITED TO THE HEALTH CARE TRUST FUND; AND TO AMEND SECTION 12-36-910, AS AMENDED, RELATING TO SALES TAXES GENERALLY, SO AS TO PROVIDE THAT AS OF JULY 1, 2009, THE THREE PERCENT SALES TAX IS ELIMINATED ON UNPREPARED FOOD WHICH LAWFULLY MAY BE PURCHASED WITH UNITED STATES DEPARTMENT OF AGRICULTURE FOOD COUPONS, TO

THURSDAY, APRIL 3, 2008

PROVIDE FOR CERTAIN GENERAL FUND TRANSFERS TO THE EDUCATION IMPROVEMENT ACT FUND FOR EACH FISCAL YEAR TO OFFSET EIA REVENUES LOST AS A RESULT OF THE LOSS OF SALES TAX ON THE SALE OF UNPREPARED FOOD, AND TO REDUCE THE SALES TAX ON UNPREPARED FOOD TO TWO PERCENT AS OF JULY 1, 2007, AND ONE PERCENT AS OF JULY 1, 2008.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 1255 -- Senator Anderson: A CONCURRENT RESOLUTION TO RECOGNIZE TRAVELLE WHARTON AS ROLE MODEL AND HERO TO THE GREENVILLE COMMUNITY AND BEYOND, AND TO COMMEND HIM FOR HIS PHILANTHROPY AMONG THE YOUTH OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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

SECOND READING BILL

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

S. 1258 -- Senators O'Dell and Drummond: A BILL TO PROVIDE THAT A SURVEYOR LICENSED IN THIS STATE MAY REVIEW COMPOSITE MAPS OF LAKE GREENWOOD AND CERTIFY TO THE FEDERAL ENERGY REGULATORY COMMISSION, BY SIGNING AND SEALING AN APPROPRIATE WORDED CERTIFICATE ON THE MAPS, THAT THE LINES SHOWN THEREON MEET OR EXCEED THE LEVEL OF ACCURACY REQUIRED BY FEDERAL REGULATIONS, TO PROVIDE THAT A MAP PREPARED IN ACCORDANCE WITH THE ABOVE IS NOT A LAND SURVEY, AND TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR A PERSON TO EXECUTE A DEED, MORTGAGE, OR ANY OTHER CONVEYANCING INSTRUMENT REFERENCING SUCH A MAP, AND THAT ANY ATTEMPTED CONVEYANCE REFERENCING SUCH A MAP SHALL BE VOID.

By prior motion of Senator DRUMMOND, with unanimous consent

THURSDAY, APRIL 3, 2008

ADJOURNMENT

At 11:15 A.M., on motion of Senator KNOTTS, 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.

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THURSDAY, APRIL 3, 2008

SENATE JOURNAL INDEX

S. 1255.....	5	H. 4926.....	2
S. 1258.....	5	H. 4948.....	2
		H. 4957.....	3
H. 3567.....	4	H. 4958.....	3
H. 4320.....	1		
H. 4899.....	1		