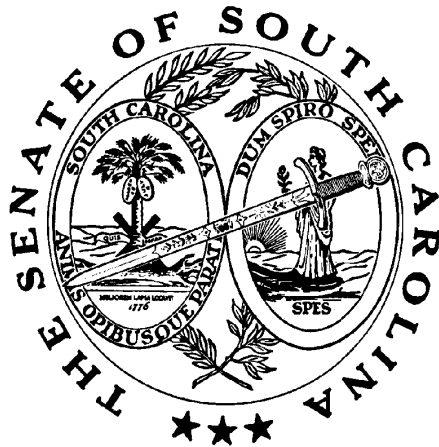


NO. 53

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2008**

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**TUESDAY, APRIL 8, 2008**

**Tuesday, April 8, 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:

We read in Exodus that God re-establishes the covenant, offering this directive to Moses and the people: "You shall not make cast idols."

(Exodus 34:17)

Friends, let us pray:

Gracious Lord, there is always the temptation to create modern-day idols: to worship power, or the limelight or center-stage. Forgive us for those moments when we do so, O God. Lead us always to worship You above all else in life, to honor You through our service here in this place and to keep our priorities straight. Embrace in your loving care each Senator and every staff person in this Senate. Provide safety and well-being for our women and men in uniform, wherever they might serve. And bless and strengthen each and every other public servant who honors You by serving others. We offer this prayer in Your name, Lord: Amen.

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

**RECESS**

At 12:16 P.M., on motion of Senator McCONNELL, the Senate recessed from business not to exceed fifteen minutes.

At 12:40 P.M., the Senate resumed.

**MOTION ADOPTED**

On motion of Senator McCONNELL, with unanimous consent, the Senate agreed that, due to numerous committee meetings, the Senate would proceed to take up for immediate consideration the Committee Reports, proceed to a Call of the Uncontested Local and Statewide Calendar and then would stand adjourned.

**TUESDAY, APRIL 8, 2008**

**Doctor of the Day**

Senator MALLOY introduced Dr. John Nobles of Bennettsville, SC, S.C., Doctor of the Day.

**CO-SPONSOR ADDED**

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

S. 1163 Sen. Verdin

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1261 -- Senator Martin: A SENATE RESOLUTION CONGRATULATING DR. CARL THOMPSON AND KATHLEEN THOMPSON FOR BEING NAMED SOUTH CAROLINA FOSTER FAMILY OF THE YEAR.

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The Senate Resolution was adopted.

S. 1262 -- Senator Courson: A SENATE RESOLUTION TO HONOR AND REMEMBER THE LIFE OF THE HONORABLE OWENS TAYLOR COBB, JR., TO EXPRESS APPRECIATION FOR HIS YEARS OF SERVICE AND DEDICATION TO THE PALMETTO STATE, AND TO EXTEND SYMPATHY TO HIS FAMILY UPON HIS DEATH.

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The Senate Resolution was adopted.

S. 1263 -- Senators Ceips and Lourie: A CONCURRENT RESOLUTION HONORING THE SPECIAL FRIENDSHIP BETWEEN SOUTH CAROLINA AND ISRAEL AND EXPRESSING APPRECIATION TO HIS EXCELLENCY AMBASSADOR REDA MANSOUR AND THE STAFF OF THE CONSULATE GENERAL OF ISRAEL TO THE SOUTHEASTERN UNITED STATES FOR ACTING AS SOUTH CAROLINA'S OFFICIAL LIAISON WITH THE STATE OF ISRAEL FOR TRADE, COOPERATION, EDUCATION, AND FRIENDSHIP.

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

S. 1264 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF

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TRANSPORTATION, RELATING TO THE CHIEF INTERNAL AUDITOR OF THE DEPARTMENT OF TRANSPORTATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 3166, 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. 1265 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION, RELATING TO COMMISSIONERS OF PILOTAGE, DESIGNATED AS REGULATION DOCUMENT NUMBER 3135, 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. 1266 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE THE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO THE SECRETARY OF TRANSPORTATION'S APPROVAL OF CERTAIN ACTIONS, DESIGNATED REGULATION DOCUMENT NUMBER 3168, 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. 1267 -- Senator McConnell: A SENATE RESOLUTION TO RECOGNIZE AND CELEBRATE THE SEVENTY-FIFTH ANNIVERSARY OF THE SOUTH CAROLINA STATE PARK SERVICE, AND TO EXPRESS SINCERE APPRECIATION FOR THE BEAUTY, RECREATION, AND INDUSTRY THE SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND TOURISM, THROUGH THE STATE PARK SERVICE, PROVIDES FOR OUR GREAT STATE.

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The Senate Resolution was adopted.

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**TUESDAY, APRIL 8, 2008**

S. 1268 -- Senator Ryberg: A CONCURRENT RESOLUTION DESIGNATING THE THIRD WEEK IN APRIL 2008, AS "SHAKEN BABY SYNDROME AWARENESS WEEK", RAISING AWARENESS REGARDING SHAKEN BABY SYNDROME, AND COMMENDING THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

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

S. 1269 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE WARDLAW ACADEMY GIRLS BASKETBALL TEAM, OF EDGEFIELD COUNTY, FOR CAPTURING THE 2008 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS A STATE CHAMPIONSHIP TITLE, AND TO CONGRATULATE THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF ON AN OUTSTANDING SEASON.

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The Senate Resolution was adopted.

#### **REPORTS OF STANDING COMMITTEES**

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 111 -- Senators Leventis, Knotts and Scott: A BILL TO AMEND SECTION 56-5-970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAFFIC CONTROL SIGNALS, SO AS TO PROVIDE THAT A DRIVER OF A MOTORCYCLE OR MOPED MAY PROCEED THROUGH A HIGHWAY INTERSECTION CONTROLLED BY A TRAFFIC-CONTROL DEVICE UNDER CERTAIN CIRCUMSTANCES WHEN A VEHICLE SENSOR FAILS TO DETECT THE VEHICLE BECAUSE OF ITS WEIGHT OR SIZE.

Ordered for consideration tomorrow.

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

S. 815 -- Senators Setzler, Courson, Short, Matthews, Rankin, Hayes, Sheheen, Drummond and Ford: A BILL TO AMEND THE

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CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 35, TITLE 59 SO AS TO CREATE A FULL-DAY, FOUR-YEAR-OLD KINDERGARTEN, TO DEFINE CERTAIN TERMS, TO PROVIDE REQUIREMENTS FOR STUDENT ELIGIBILITY AND PRIORITY FOR ADMISSION, TO PROVIDE DUTIES OF THE DEPARTMENT OF EDUCATION AND OTHER STATE AGENCIES, TO PROVIDE FUNDING AND REPORTING REQUIREMENTS, TO PROVIDE THAT ENROLLMENT IS A MATTER OF PARENTAL DISCRETION, TO PROVIDE THAT A FEE OR TUITION MAY NOT BE CHARGED, TO PROVIDE A PARENTING EDUCATION PROGRAM, AMONG OTHER THINGS; AND TO DESIGNATE SECTION 59-35-10 AS ARTICLE 1, CHAPTER 35, TITLE 59 AND ENTITLED "FIVE-YEAR-OLD KINDERGARTEN".

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 880 -- Senators Campsen, Knotts, Fair and Scott: A BILL TO AMEND SECTION 56-1-2110 OF THE 1976 CODE, RELATING TO DISQUALIFICATION FROM DRIVING A COMMERCIAL MOTOR VEHICLE, TO PROVIDE THAT A PERSON WITH A VERIFIED POSITIVE DRUG TEST OR ALCOHOL CONFIRMATION TEST IS DISQUALIFIED FROM DRIVING A COMMERCIAL MOTOR VEHICLE UNTIL THE PERSON SUCCESSFULLY COMPLETES AN ALCOHOL OR DRUG PROGRAM; AND TO AMEND CHAPTER 1, TITLE 56 OF THE 1976 CODE, RELATING TO DRIVER'S LICENSES, TO PROVIDE THAT A MEDICAL REPORTING OFFICER CONDUCTING DRUG OR ALCOHOL CONFIRMATION TESTS PURSUANT TO 49 C.F.R. 40 MUST REPORT POSITIVE VERIFIED TEST RESULTS TO THE DEPARTMENT OF MOTOR VEHICLES.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 981 -- Senator Grooms: A BILL TO AMEND SECTION 57-5-10 OF THE 1976 CODE, RELATING TO THE GENERAL COMPOSITION OF THE STATE HIGHWAY SYSTEM, TO PROVIDE THAT ALL HIGHWAYS IN THE STATE HIGHWAY SYSTEM MUST BE BUILT ACCORDING TO STATE

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STANDARDS, TO AMEND SECTION 57-5-70, RELATING TO ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ADD COUNTY AND MUNICIPAL ROADS TO THE STATE HIGHWAY SYSTEM WHEN NECESSARY FOR THE INTERCONNECTIVITY OF THE STATE HIGHWAY SYSTEM, TO AMEND SECTION 57-5-80, RELATING TO THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, TO PROVIDE FOR THE REMOVAL OF ROADS FROM THE STATE HIGHWAY SYSTEM WHEN A COUNTY, MUNICIPALITY, SCHOOL, OR OTHER GOVERNMENTAL AGENCY AGREES TO ACCEPT THE ROAD INTO ITS OWN HIGHWAY SYSTEM, AND TO REPEAL SECTION 57-5-90, RELATING TO BELT LINES AND SPURS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 996 -- Senators Ceips, Grooms and Cleary: A BILL TO AMEND CHAPTER 15 OF TITLE 57 OF THE 1976 CODE, RELATING TO PROVISIONS AFFECTING FERRIES ONLY, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION IS AUTHORIZED TO ESTABLISH, OPERATE, MAINTAIN, AND SUPERVISE PUBLIC FERRIES CONNECTING PARTS OF THE STATE HIGHWAY SYSTEM, TO PROVIDE THAT THE GOVERNING BODY OF A COUNTY IS AUTHORIZED TO ESTABLISH, OPERATE, MAINTAIN, AND SUPERVISE PUBLIC FERRIES CONNECTING PARTS OF PUBLIC ROADS LOCATED WITHIN THE COUNTY NOT UNDER THE CONTROL OF THE DEPARTMENT OF TRANSPORTATION, TO PROVIDE THAT GOVERNING BODIES OF ADJOINING COUNTIES MAY ENTER INTO AN AGREEMENT TO ESTABLISH, OPERATE, MAINTAIN, AND SUPERVISE PUBLIC FERRIES CONNECTING PARTS OF PUBLIC ROADS THAT LIE WITHIN EACH COUNTY THAT ARE NOT UNDER THE CONTROL OF THE DEPARTMENT OF TRANSPORTATION, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION AND COUNTY GOVERNING BODIES MAY ENTER INTO AGREEMENTS WITH PRIVATE ENTITIES TO FINANCE, IN WHOLE OR IN PART, THE COST OF ACQUIRING, EQUIPPING, MAINTAINING, AND OPERATING A PUBLIC FERRY, TO ESTABLISH CERTAIN MINIMUM SAFETY

[SJ]

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REQUIREMENTS, TO ALLOW FOR PRIVATE CONTRIBUTIONS FOR FERRY OPERATION AND MAINTENANCE, AND TO PROVIDE FOR A FERRY ON THE INTRACOASTAL WATERWAY IN GEORGETOWN COUNTY.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 997 -- Senators Lourie, Leventis, Sheheen, Cleary, Cromer, Setzler, Campbell, Ceips, Massey, Drummond, Matthews and Thomas: A BILL TO AMEND SECTIONS 56-1-175 AND 56-1-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE AND SPECIAL RESTRICTED DRIVER'S LICENSE BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT AFTER DECEMBER 31, 2008, A PERSON WHO IS ISSUED ONE OF THESE FORMS OF DRIVER'S LICENSES MUST HAVE SUCCESSFULLY COMPLETED A TEEN DEFENSIVE DRIVING COURSE THAT IS APPROVED BY THE DEPARTMENT OF PUBLIC SAFETY.

Ordered for consideration tomorrow.

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

S. 1124 -- Senator Leatherman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9-9-61 SO AS TO PROVIDE FOR THE AWARDING OF AN ANNUAL COST-OF-LIVING INCREASE IN BENEFITS PAYABLE BY THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY USING THE FORMULA AND CRITERIA FOR CALCULATING SUCH INCREASES USED IN THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM; TO AMEND SECTION 9-1-1810, AS AMENDED, RELATING TO THE AWARD OF ANNUAL COST-OF-LIVING INCREASES IN BENEFITS PAID BY THE SOUTH CAROLINA RETIREMENT SYSTEM TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX, SO AS TO INCREASE FROM ONE PERCENT TO TWO PERCENT THE GUARANTEED ANNUAL ADJUSTMENT AND TO REVISE THE CRITERIA WHICH MUST BE MET BEFORE FURTHER INCREASES MAY BE AWARDED SUBJECT TO THE

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CURRENT OVERALL FOUR PERCENT LIMIT ON ANNUAL COST-OF-LIVING INCREASES; TO AMEND SECTION 9-9-60, AS AMENDED, RELATING TO RETIREMENT UNDER AND RETIREMENT BENEFITS PAID BY THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO REFERENCE THE COST-OF-LIVING ADJUSTMENT IN THOSE BENEFITS PAYABLE PURSUANT TO SECTION 9-9-61 OF THE 1976 CODE AS ADDED BY THIS ACT AND TO FURTHER DEFINE "EARNABLE COMPENSATION" FOR PURPOSES OF THAT SYSTEM; TO AMEND SECTION 9-11-310, AS AMENDED, RELATING TO THE AWARD OF AN ANNUAL COST-OF-LIVING INCREASE IN BENEFITS PAID BY THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX, SO AS TO PROVIDE A GUARANTEED TWO PERCENT ANNUAL ADJUSTMENT AND TO REVISE THE CRITERIA WHICH MUST BE MET BEFORE FURTHER INCREASES MAY BE AWARDED SUBJECT TO THE CURRENT OVERALL FOUR PERCENT LIMIT ON ANNUAL COST-OF-LIVING INCREASES, TO MAKE THE PROVISIONS OF THIS ACT UNSEVERABLE, AND TO PROVIDE THE ACTIONS REQUIRED BY THE STATE BUDGET AND CONTROL BOARD FOR THIS ACT TO BECOME EFFECTIVE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 1237 -- Senators Grooms and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 41 IN CHARLESTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17 TO THE CHARLESTON/BERKELEY COUNTY LINE THE "MAJOR GENERAL ABRAHAM J. TURNER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MAJOR GENERAL ABRAHAM J. TURNER HIGHWAY".

Ordered for consideration tomorrow.

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

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S. 1242 -- Senators Leatherman, Cleary, Short and Hayes: A BILL TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION, TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE, AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

Ordered for consideration tomorrow.

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

S. 1252 -- Senators Leatherman and Peeler: A BILL TO AMEND SECTION 2-75-30 OF THE 1976 CODE RELATING TO THE CENTERS OF EXCELLENCE MATCHING ENDOWMENT, TO PROVIDE THAT THE INTEREST EARNINGS IN THE FUND MAY BE USED AT THE RESEARCH CENTERS OF EXCELLENCE REVIEW BOARD'S DISCRETION FOR ADDITIONAL STATE AWARDS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3853 -- Reps. Witherspoon, Walker, Bales, Harvin, Littlejohn, Lowe, Mahaffey, Miller, M.A. Pitts, Spires and Bowers: A BILL TO AMEND SECTION 56-5-4630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PLACEMENT OF A RED LIGHT, LANTERN, OR FLAG UPON A LOAD THAT EXTENDS FOUR FEET OR MORE BEYOND THE BED OR BODY OF A VEHICLE, SO AS TO REVISE THE CIRCUMSTANCES UPON WHICH THE RED LIGHT, LANTERN, OR FLAG MUST BE PLACED UPON THE LOAD, AND TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES AN AMBER STROBE LIGHT MUST BE AFFIXED TO THE LOAD.

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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. 1077 -- Senators Rankin, Hutto and McConnell: A BILL TO AMEND SECTION 11-35-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROCUREMENT, BY EXEMPTING THE LICENSES GRANTED BY THE FEDERAL COMMUNICATIONS COMMISSION TO GREENVILLE TECHNICAL COLLEGE AND TRIDENT TECHNICAL COLLEGE THAT AUTHORIZE THE USE OF THE EDUCATIONAL BROADBAND SERVICE SPECTRUM.

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

**READ THE THIRD TIME**

**THIRD READING RECONSIDERED, CARRIED OVER**

S. 1085 -- Senators McConnell and Hayes: A BILL TO AMEND CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO ETHICS, TO PLACE LEGISLATIVE STAFF UNDER THE JURISDICTION OF THE LEGISLATIVE ETHICS COMMITTEES.

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

Having voted on the prevailing side, Senator SHEHEEN moved to reconsider the vote whereby the Bill was given a third reading.

The motion to reconsider was adopted.

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

On motion of Senator SHEHEEN, with unanimous consent, the Bill was carried over.

**SECOND READING BILL**

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

H. 4731 -- Reps. Mitchell, Govan, Harrell, Miller and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-85 SO AS TO PROVIDE THAT THE NINETEENTH DAY OF JUNE OF EACH YEAR IS DESIGNATED AS "JUNETEENTH CELEBRATION OF FREEDOM DAY" TO COMMEMORATE AND REFLECT ON THE FREEDOM OF AFRICAN AMERICANS AND THEIR CONTRIBUTIONS TO THIS STATE AND NATION.

**CARRIED OVER**

H. 3993 -- Reps. Duncan, Bedingfield, Davenport, Barfield, Brantley, G. Brown, Ceips, Gambrell, Hiott, Hodges, Jennings, Knight, Leach, Littlejohn, Lowe, Miller, Owens, M.A. Pitts, G.M. Smith, J.R. Smith, Spires and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-125 SO AS TO PROVIDE THAT THE OPENING DAY OF THE ANNUAL MAJOR LEAGUE BASEBALL SEASON EACH YEAR IS DESIGNATED AS "TEXTILE LEAGUE BASEBALL DAY" IN SOUTH CAROLINA.

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

S. 987 -- Senator Gregory: A BILL TO AMEND SECTION 50-21-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENFORCEMENT OF BOATING LAWS, SO AS TO FURTHER PROVIDE FOR THIS ENFORCEMENT, THE AUTHORITY OF ALL LAW ENFORCEMENT OFFICERS TO ENFORCE THESE PROVISIONS, AND TO PROVIDE PENALTIES FOR VIOLATION; TO AMEND SECTION 50-21-114, AS AMENDED, RELATING TO OPERATING

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A WATER DEVICE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS AND THE IMPLIED CONSENT FOR A BREATH TEST TO DETERMINE BLOOD ALCOHOL LEVELS, SO AS TO FURTHER PROVIDE FOR PROCEDURAL MATTERS IN REGARD TO THESE TESTS; TO AMEND SECTION 50-21-130, AS AMENDED, RELATING TO DUTIES OF A VESSEL OPERATOR INVOLVED IN A COLLISION, SO AS TO FURTHER PROVIDE FOR THESE DUTIES INCLUDING WHEN AN ACCIDENT REPORT IS REQUIRED AND TO STIPULATE THE PERSONS AND ENTITIES WHO MAY OBTAIN A COPY OF THE REPORT; BY ADDING SECTION 50-21-118 SO AS TO PROVIDE THAT THE OPERATOR OF A WATERCRAFT IS STRICTLY LIABLE FOR THE ACTIONS AND CONDUCT OF ALL PERSONS ON BOARD AND ANY PERSONS BEING TOWED BY THE WATERCRAFT; TO AMEND SECTION 50-21-175, AS AMENDED, RELATING TO WATERCRAFT REQUIRED TO HEAVE, SO AS TO PROVIDE THAT THE MAGISTRATES COURT RETAINS JURISDICTION OVER VIOLATIONS OF THIS SECTION; BY ADDING SECTION 50-21-190 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO ABANDON A WATERCRAFT OR OUTBOARD MOTOR ON THE PUBLIC LANDS OR WATERS OF THIS STATE OR ON PRIVATE PROPERTY WITHOUT PERMISSION OF THE PROPERTY OWNER AND TO ALSO PROVIDE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 50-21-710, AS AMENDED, RELATING TO AIDS TO NAVIGATION AND REGULATORY MARKERS, SO AS TO PROVIDE THAT ALL NO WAKE ZONES HERETOFORE ESTABLISHED ARE CONSIDERED ESTABLISHED PURSUANT TO THE AUTHORITY OF THIS SECTION; AND TO REPEAL SECTIONS 50-21-132, 50-21-133, 50-21-135, 50-21-136, 50-21-137, 50-21-138, 50-21-139, 50-21-142, 50-21-143, 50-21-144, 50-21-145, 50-21-147, AND 50-21-149 RELATING TO NO WAKE ZONES OR OTHER REGULATION OF WATERCRAFT ACTIVITIES.

On motion of Senator GREGORY, with unanimous consent, the Bill was carried over.

S. 911 -- Senators Martin and Sheheen: A BILL TO AMEND SECTION 7-17-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEETINGS OF THE BOARD OF STATE CANVASSERS, SO AS TO PROVIDE THAT A MEETING MAY BE CONVENED BY TELEPHONE OR ELECTRONIC

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COMMUNICATION INSTEAD OF IN PERSON AT THE OFFICE OF THE STATE ELECTION COMMISSION; AND TO AMEND SECTION 7-17-510, RELATING TO THE CONVENING OF THE COUNTY COMMISSIONERS OF ELECTION AS COUNTY BOARDS OF CANVASSERS, SO AS TO PROVIDE THAT ANY REQUIRED MEETINGS MAY BE CONVENED BY TELEPHONE OR ELECTRONIC COMMUNICATION.

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

S. 641 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-35 SO AS TO PROVIDE THAT A SCHOOL SHALL DEFER TO THE DECISION OF PARENTS OF TWINS AS TO WHETHER OR NOT THE TWINS WILL BE IN THE SAME CLASSROOM.

On motion of Senator MARTIN, with unanimous consent, the Bill was carried over.

S. 1159 -- Senator Lourie: A BILL TO AMEND SECTION 61-4-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF BEER OR WINE FOR CONSUMPTION BY PERSONS UNDER THE AGE OF TWENTY-ONE, SO AS TO DELETE A REFERENCE IN ONE CODE SECTION FOR CLARIFICATION; TO AMEND SECTION 61-6-4070, RELATING TO THE TRANSFER OF ALCOHOLIC LIQUORS TO PERSONS UNDER THE AGE OF TWENTY-ONE, SO AS TO DELETE A REFERENCE IN ONE CODE SECTION FOR CLARIFICATION; AND TO AMEND SECTIONS 20-7-8920 AND 20-7-8925, RELATING TO UNDERAGE PURCHASE, CONSUMPTION, OR POSSESSION OF BEER, WINE, OR ALCOHOLIC LIQUORS, SO AS TO ALLOW ESTABLISHMENTS TO USE PERSONS UNDER THE AGE OF TWENTY-ONE TO TEST COMPLIANCE.

On motion of Senator MARTIN, with unanimous consent, the Bill was carried over.

H. 3451 -- Reps. Cotty, Agnew, Anderson, Ballentine, Barfield, Battle, Bingham, Bowen, Bowers, Breeland, R. Brown, Cato, Chalk, Chellis, Clyburn, Cobb-Hunter, Cooper, Davenport, Edge, Funderburk, Hagood, Haley, Harrell, Harrison, Harvin, Herbkersman, Hinson, Hiott, Hosey, Howard, Jennings, Kennedy, Kirsh, Limehouse, McLeod, Miller, Moss, J.H. Neal, Neilson, Pinson, E.H. Pitts, Rice, Rutherford,

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Sandifer, Scott, J.E. Smith, J.R. Smith, Stavrinakis, Talley, Toole, Viers, Weeks, Whipper, Young and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 6 TO TITLE 30 SO AS TO ENACT THE "UNIFORM REAL PROPERTY RECORDING ACT", PROVIDING FOR THE AUTHORITY OF THE REGISTER OF MESNE CONVEYANCES IN A COUNTY TO RECEIVE AND RECORD DOCUMENTS AND INFORMATION IN ELECTRONIC FORM, SETTING FORTH CERTAIN REQUIREMENTS IN ACCEPTANCE OF ELECTRONIC DOCUMENTS BY A REGISTER, CHARGING THE OFFICE OF THE SECRETARY OF STATE WITH THE RESPONSIBILITY OF IMPLEMENTING THE ACT AND ADOPTING STANDARDS FOR THE RECEIPT, RECORDING, AND RETRIEVAL OF ELECTRONIC DOCUMENTS, AND PROVIDING DEFINITIONS.

On motion of Senator MARTIN, with unanimous consent, the Bill was carried over.

H. 3605 -- Rep. Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-1-110 SO AS TO CLARIFY THAT IF AN ATTORNEY-CLIENT RELATIONSHIP EXISTS BETWEEN A LAWYER AND A FIDUCIARY, COMMUNICATIONS BETWEEN THE LAWYER AND THE FIDUCIARY ARE PRIVILEGED UNLESS WAIVED BY THE FIDUCIARY.

On motion of Senator MARTIN, with unanimous consent, the Bill was carried over.

H. 3798 -- Rep. G.R. Smith: A BILL TO AMEND SECTION 20-1-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON WHO MAY PERFORM MARRIAGE CEREMONIES, SO AS TO ALSO INCLUDE THE CHIEF OF A NATIVE AMERICAN INDIAN ENTITY RECOGNIZED BY THE SOUTH CAROLINA COMMISSION FOR MINORITY AFFAIRS.

On motion of Senator MARTIN, with unanimous consent, the Bill was carried over.

H. 3857 -- Rep. Jennings: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-15-90 SO AS TO PROVIDE PENALTIES FOR FAILURE TO APPEAR IN COURT UNDER CERTAIN CIRCUMSTANCES WHEN THE PERSON HAS BEEN RELEASED ON BOND; TO

**TUESDAY, APRIL 8, 2008**

AMEND SECTION 38-53-50, RELATING TO SURETY RELIEVED ON BOND AND SURRENDER OF A DEFENDANT, SO AS TO PROVIDE PROCEDURES WHEN A BENCH WARRANT MAY BE ISSUED FOR ARREST OF A DEFENDANT AND TO PROVIDE THAT NONPAYMENT OF FEES ALONE DOES NOT WARRANT IMMEDIATE INCARCERATION OF THE DEFENDANT; AND TO AMEND SECTION 38-53-70, AS AMENDED, RELATING TO THE ISSUANCE OF A BENCH WARRANT AND THE REMISSION OF JUDGMENT, SO AS TO INCREASE THE PERIOD OF TIME BEFORE THE BOND IS FORFEITED FOR FAILURE TO APPEAR FROM THIRTY TO NINETY DAYS FROM THE ISSUANCE OF THE BENCH WARRANT AND TO PROVIDE THAT THE BENCH WARRANT MUST BE AVAILABLE FOR PICKUP BY THE SURETY WITHIN SEVEN DAYS OF ISSUANCE.

On motion of Senator MARTIN, with unanimous consent, the Bill was carried over.

H. 4438 -- Rep. G.M. Smith: A BILL TO AMEND SECTION 17-15-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISPOSITION OF FUNDS COLLECTED PERTAINING TO BAIL AND RECOGNIZANCE, SO AS TO PROVIDE THAT TWENTY-FIVE PERCENT OF THE FUNDS COLLECTED MUST BE REMITTED TO THE PROSECUTING AGENCY RATHER THAN THE SOLICITOR'S OFFICE IN THE COUNTY IN WHICH THE FORFEITURE IS ORDERED.

On motion of Senator MARTIN, with unanimous consent, the Bill was carried over.

H. 4735 -- Reps. Harrell, Cato, Funderburk, Loftis, Sandifer, Thompson, Owens, Harvin, Bedingfield, Leach, Bales, Whipper and R. Brown: A JOINT RESOLUTION TO DIRECT THE SOUTH CAROLINA EDUCATIONAL TELEVISION NETWORK TO MAKE ALL NECESSARY FILINGS WITH THE FEDERAL COMMUNICATIONS COMMISSION AS SOON AS PRACTICABLE, TO INDICATE AN INTENTION TO RETAIN LICENSES CURRENTLY OPERATED BY THE EDUCATIONAL TELEVISION NETWORK AND AN INTENTION TO FORM A PUBLIC/PRIVATE PARTNERSHIP TO COMPLETE THE NECESSARY TRANSITION FROM AN ANALOG TO DIGITAL SYSTEM, AND TO DIRECT THE STATE BUDGET AND CONTROL BOARD TO HIRE A NATIONALLY-RECOGNIZED

[SJ]

**TUESDAY, APRIL 8, 2008**

TELECOMMUNICATIONS CONSULTANT TO ASSIST WITH THE DEVELOPMENT OF A REQUEST FOR PROPOSAL AND AN ANALYSIS OF VARIOUS BUSINESS MODELS FOR THE LEASING OF EXCESS CAPACITY ON THE SPECTRUM AND TO PROVIDE AN ESTIMATE OF THE VALUE OF LICENSES OPERATED BY THE EDUCATIONAL TELEVISION NETWORK.

On motion of Senator RITCHIE, with unanimous consent, the Joint Resolution was carried over.

**ADJOURNMENT**

At 12:54 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 2:00 P.M.

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